

City of Sherwood
Special Committee Meeting Minutes
07/29/13
22560 SW Pine Street, Sherwood, Or 97140

MEYER: Good evening. Today is July 29th. It is now 6:30, and I would like to call the meeting to order. Sylvia?

MURPHY: Chair Meyer?

MEYER: Here.

MURPHY: Rachel Schoening?

SCHOENING: Here.

MURPHY: Beth Cooke?

COOKE: Here.

MURPHY: Doug Scott?

SCOTT: Here.

MURPHY: Nancy Bruton?

BRUTON: Here.

MURPHY: Larry O'Keefe?

O'KEEFE: Here.

MURPHY: And Naomi Belov hasn't arrived yet, and I'm assuming she will shortly.

MEYER: Okay, thank you. In terms of approval of meeting minutes, we're going to go ahead and postpone review of minutes until Thursday's meeting. Sylvia indicated that we should have meeting minutes for both the July 12th and 15th meeting for Thursday which hopefully will be distributed in advance so that we have an opportunity to review before Thursday evening. At this time, we will open the floor for any public comment. As a reminder, public comment will be limited to four minutes. Please do direct all of your comments directly to me. This is not a question/answer period but rather an opportunity for you to share any comments that you would like for us to consider. And because we do have the pleasure of Chief Groth available, if you have any questions that you would like for us to ask of the chief, please let us know so that we can do that in our discussion with him. Thank you. So come on up if you'd like to share any comments or suggestions. Don't be shy. Okay. Well, what we'll do as in prior meetings is in the event that we've got some time toward the latter part of the evening, we will open up again for public comment. I will go ahead and start on with new business. The first item on our agenda this evening is a question and answer discussion with the chief, and all committee members are welcome to defer any questions they have for the chief at this time. And Chief, thank you for joining us this evening.

GROTH: Thank you, Madame Chair. Glad to be here.

MEYER: Thank you very much. So who would like to start? Anyone?

O'KEEFE: I'll go. Thanks for coming, Chief. I appreciate you taking the time, and I'm hoping maybe you can clarify a few things. First of all, perhaps I may be in the dark, but maybe you could give me some experience. I know you haven't always worked at Sherwood, but I'd be interested in hearing maybe some of the history that you've had with other retailers and possibly 24-hour businesses in not only Sherwood but other cities and how that has affected crime rate or perceived crime rate, in your experience.

GROTH: Okay. So I spent - prior to coming to Sherwood, I spent 18½ years at Tualatin. And I began my career there and rose up to the rank of captain which is the position I had when I came to Sherwood. So obviously, my experience is limited to the various impacts and things we dealt with in Tualatin. And when I started in Tualatin in 1989, it was a community of about 13,000 if I remember right, something like that, and it has recently been the fastest growing community in the state and was one of them. I can't recall any specific issues, but obviously we had a growing community. We had a growing retail industry, growing commercial industry, and Tualatin was known at that time as a bedroom community. So there's a lot of similarities I guess is what I'm getting to, and a lot of the development was going on there. So

62 aside from just kind of giving that very, very general synopsis, I would have
63 to kind of try to deal with more specifics if there are. There was all kinds
64 of businesses that were going in there, some of which were 24-hour
65 businesses, some of which weren't. So we certainly found the retail location,
66 not to single anyone out, but certainly the one that had the big - well,
67 there was two when I started actually. For those of you who have been around
68 long enough, there was a Food For Less over off of McEwen that is now a 24-
69 Hour Fitness or some such franchise over by the Motel 6's. That was a 24-hour
70 grocery location. And, of course, we had Fred Meyer which was not 24 hours.
71 But we had - when Food For Less was open, that was a very busy location for
72 us, a lot of shoplifting, but it fit the pattern of the data that I've pulled
73 so far tends to fit in, and that is that the vast majority of the activity
74 happened during the daytime hours. There was some activity that happened
75 overnight, of course, but it was much less than during the normal daylight
76 hours. Fred Meyer is not a 24-hour location, but it was extremely busy during
77 the day, and it was partly because they had a very good loss prevention
78 department, and so they aggressively sought out shoplifters and worked very
79 well with the police department. So they kept us busy as well. So I would say
80 those are probably two of the best examples that we dealt with.

81 **O'KEEFE:** Thank you.

82 **BRUTON:** Could you expand on that a little? I was curious if Food For Less is
83 a specific example or if there is handling more calls during the day versus
84 night for other retailers in the data that you're looking at.

85 **GROTH:** Well, I think both anecdotally and based on the data that I had a
86 chance to review in preparation for tonight, which is very limited of course,
87 but everybody would know that the locations are busier during the day. That's
88 just when the vast majority of the public is out and about and most of the
89 trade is taking place, and so the crowds that shop late or are just otherwise
90 out in the middle of the night is much smaller. The police work in the middle
91 of the day and the police work in the middle of the night can at times be
92 dramatically different, two completely different worlds. We used to joke
93 about you'd be in night mode where you're not used to dealing with people. So
94 if you had a long-term graveyard officer that suddenly came to day shift, you
95 had to kind of watch to make sure they could get back used to dealing with
96 people because you just don't deal with people when you're working night
97 shift. That's just the reality of night shift. Most folks in communities like
98 Tualatin and Sherwood are home in bed. So hopefully that answers your
99 question.

100 **COOKE:** And given that most of the residents were at home in bed during those
101 hours, can you describe a little bit maybe the impact that having a 24-hour
102 operation for a retailer that large have on the surrounding - I'm not
103 familiar with that site. So were there homes within a close distance?

104 **GROTH:** No. I wouldn't say close. The Lake Grove area - so Childs Road and
105 some of those areas would be the closest, but it was pretty much a commercial
106 area that Food For Less was in, and it was a 24-hour operation. Fred Meyer
107 wasn't. It doesn't really fit in the question, but it also was in a generally
108 commercial area.

109 **COOKE:** And neither were adjacent to residential?

110 **GROTH:** Well, I don't know - Fred Meyer isn't, but it would depend on how you
111 define adjacent. There were certainly homes within minutes, and...

112 **COOKE:** (Indecipherable).

113 **GROTH:** I don't know. I wouldn't want to estimate but certainly no more than
114 that, probably right around that I would guess.

115 **SCHOENING:** Along those same lines, Chief, for the proposed - have you read
116 the proposed ordinance?

117 **GROTH:** I have.

118 **SCHOENING:** Okay. So some of the proposed language in the proposed ordinance
119 in regards to the regulation of business hours, in section (A): Purpose and
120 Findings, first page, number (1)(b) talks about one of the arguments behind
121 limiting hours, in other words, for a business would be to decrease the
122 incidents of arrest - anyway, you can read it, but can you just talk to me or

us a little bit about - there's been some discussion here in the committee about if there is a large retailer, or any retailer for that matter, that's open 24 hours may be causing the police - that will then in theory cause the police to not be focused on keeping residents who are asleep in their homes, as you said, safe but will be focusing more on the places that are open And I'm wondering if you could just maybe clarify that for us a little bit about how do you determine where and when police officers are during those late-night hours.

GROTH: Well, there's lots of responsibilities that the officers have that are working night shift, and certainly, residential patrols is near the top. So you have to look at - I guess the best way to look at it is demand for resource, right? So at night, the majority of the homes are occupied. So that's going to be an area of concern for an officer to say, "Hey, I know the neighborhoods are where the people are right now." So potentially, that could be an area where there could be activity. There could be loud parties. There could be people walking the streets that may or may not belong. There's theft that could be occurring because more cars are parked in the neighborhood. So that same theory then applies to anywhere else where there could be people. So if you have a place that's open 24 hours or any other location - 99W, it attracts people. People drive through town at all hours of the night. So there's any number of those areas that are going to attract the officer's attention and that are going to "demand" some level of response. That's kind of how we identify what we do is based on what are the needs of given shift, as it were. So I guess beyond that, based on the data, and the data that I looked at tells part of the story because you just can't in 2½/3 days - I just don't have the ability to pull all of the data, and people don't respond as quick as you want them to, and you have to go to other sources to see what has history in certain locations told us. And so what I do know based on that is that - the best example - the closest example of a 24-hour operation, and obviously everybody's attention is focused on Wal-Mart coming in, and so the closest example of that is in Woodburn, and that's a 24-hour Wal-Mart. Their police activity that occurs there, 93% occurs during the daytime hours. So only 7% of all their activities took place between the hours of midnight and 6:00 a.m. And that was 18 activities, calls, whatever happened, so out of 265. So what that suggests to me is that the majority of the things they're dealing with are happening during the day which is also consistent with what we experience here. Of course, we don't have a comparison of a Target being open 24 hours or a Home Depot or any of our big retailers being open 24 hours, but a second thing that the data shows is that the numbers at that location, and we've talked about this briefly in other settings, the numbers at those locations are - oh, it's on the Frequently Asked Questions page - the numbers at those locations are no higher than some of the numbers that we experience in some of our locations currently in town. So when I look at all that, that suggests to me that, again, only suggests based on the data that I'm looked at, is that it's there for them, for that location, the after-hours activity is not what I would be considering significant at 7%, 18 - and that's in the last 12 months. So that's from July 26, 2012 through July 27th or whatever of this year is when those number stats were drawn. So again, I'm trying to answer the question as best I can. Hopefully that gets to it.

MEYER: Chief, I have a couple of questions, being a two-part question actually. The first is what are the general shift hours of your officers? How many officers do you typically have during those shift periods? And then my follow-up question to that is what kind of partnerships do you have in Sherwood or, from your experience in Tualatin, with security patrol services, and how do you partner with those kinds of organizations in terms of addressing issues that arise on public properties?

GROTH: Okay. So we run three patrol shifts. The first shift starts at 6:00 in the morning and goes until 2:00 in the afternoon. That's an 8-hour shift. Let me back up. What we try to run is 10-hour shifts, but you have to have a certain number of resources to do that, to staff a schedule on a 10-hour shift.

184 MEYER: And when you say resources you mean...

185 GROTH: People. Bodies. Yeah.

186 MEYER: Just wanted to make sure.

187 GROTH: So we don't have enough to put on day shift, so we run an 8-hour, 5
188 eights, an 8-hour shift on day shift, 6:00-2:00. Swing shift is a 10-hour
189 shift. They come in at 1:00 and work until 11:00, and then our night shift is
190 a 10-hour shift. They come in at 8:00 p.m. and work until 6:00 a.m. So one of
191 the benefits of running a 10-hour shift is - obviously, the math doesn't work
192 out. You have 24 hours to cover, and you get 30 hours to do that. So one of
193 the benefit is you get an overlap period, and we try to staff and position
194 those overlap periods during the busiest times of the day. And historically,
195 in both places I've been, talking to the folks, those later afternoon/early
196 evening hours are always the busiest. Thursday/Friday are generally the
197 busiest of the week. So to have the overlap occurring between the hours of
198 8:00 and 11:00 is very beneficial for us. So we will try to have at least
199 three people on all the time. We would like for one of those three to be a
200 supervisor. That doesn't always happen because they get days off too, and we
201 don't always get three. Sometimes we just have two on. So that's the general
202 average. There's going to be more during the overlap, but again, there could
203 be reports that need to be done. There could be lots of things that are going
204 on during that overlap. So we talked about this some in the budget meetings,
205 but we are more than 50% of the time running at our shift minimum, our bare
206 minimum, which is two people. So a lot of the time, that's how many folks are
207 on. We do have those off occasions when we have three, and on occasion we may
208 have four if it's the right overlap, or if it happens to be mutual training
209 day, there could be more people on. So on part one. Part two: My experience
210 has always been very positive with private security companies, but again, it
211 depends on the private security company. There's always those circumstances
212 that go bad, but overall, my experience has been positive. And I would say
213 the key is just communicating, working with them, and understanding each
214 other's roles. But I certainly don't have a problem. I think they're a
215 positive resource. So they're obviously very limited, and we want them to be
216 because, at the hope of not offending anybody that's connected in some way,
217 they don't have near the level of training. I don't believe they go through
218 the level of screening that our police officers go through, and they may or
219 may not be armed. It depends on the company. If they are armed, then that
220 opens a whole another area of concern that I would have, making sure that
221 they're properly trained, but that's somebody else's business, not mine. But
222 the priority is that they don't have generally the level of expertise as a
223 police officer, and they also don't have the legal authority. They don't have
224 the power of arrest like an officer does. They have the same powers that any
225 of you do. I mean, you can make a citizen arrest, but they don't have near
226 the legal power and authority that a police officer has. So we would
227 certainly want a working partner with them, but they're never going to
228 replace a police officer because they can't bring charges, they can't see
229 something through to court. They're great witnesses, and they can be a very
230 good preventative measure, but once something is happening, it's really
231 incumbent upon us to intervene and to take care of it.

232 MEYER: That actually brought me to a couple more questions. Would anyone else
233 like to pose questions before I...

234 BRUTON: I have some but you can go ahead, my dear.

235 MEYER: No. Go ahead.

236 BRUTON: I was curious. In your research, have you gotten to look at other
237 communities that have put a similar type ordinance into play and if you have
238 any research on whether or not that minimizes the demand for police
239 resources?

240 GROTH: I haven't. So I have really no answer for that. Sorry. I haven't had
241 a chance to look at that. So just been trying to pull as many numbers as I
242 can.

O'KEEFE: Chief, what would say is the number one type of call that you go on during the day, and if that's different, what's the number one type of call that you go on at night?

GROTH: That second one is a good question. So I could tell you that I did a Top 10 (indecipherable) report. Number one is theft. That is our number one demand for service. And then number 2 - I don't know. I know domestic disturbances were in the top three, but I don't know if it was number two or number three. I don't want to remember that wrong. Maybe somebody knows my annual report better than I do. But certainly I know number one was theft. And then I broke it down in another way, and that is we talk about public demand, so calls for service. When somebody picks up the phone and says, "Hey, I need a police officer." And then we talk about self-initiated activities, and those are where a police officer does something on their own within being asked or called. So those two make up total activities. So we measure total activities because while it's important that when somebody - obviously, when somebody picks up the phone and calls for police, we need to be there. Whether it's an emergency or not, we're going to respond and take care of that situation. But it's equally important, like when somebody isn't calling, that the officers are out enforcing law, preventing crime, looking for bad guys, finding them, taking them to jail, doing all the things that you all expect them to do. And so while we measure total activities, only on occasion do we break them down between calls for service and self-initiated. The other thing we measure within that self-initiated is what kind of proactive-types of things do we do? So obviously, traffic stops - but we do house checks, premise checks, security checks, all kinds of those types of things. And the latest breakdown I saw is, of all the work that we do in Sherwood, 72% of them is self-initiated, and that is one of the highest percentages in Washington County, and I believe it could be the highest percentage of any of the cities with significant size. So what means is that's community policing, folks. That's what we try to do, and from my perspective, it's important that we continue to do that. That's why we have the crime rate we have, quite frankly, is because for many, many years, we have been applying community policing, finding things to do, and research has shown for decades that that drives crime rates down. When the police officers only have the time to respond, and there's so many things happening that that's all they can do, and they can't go out and do self-initiated activity, that in fact does not have any affect on the crime rate, and so the crime rate then is left to do whatever it has to do on its own. Then part two - I can't remember exactly what part two was, but I remember that I didn't think I was going to be able to answer it.

FEMALE: Night.

O'KEEFE: Night. But that brought in a whole other follow-up question.

GROTH: Yeah. So I don't know how that changes at night. Certainly, the calls and the demand go down. While there is still a lot of traffic, there's a lot less traffic. So the activity then at night focuses on premise checks, security checks, a lot of behavioral things. We still have a fair amount of domestic disturbances that occur at night. So it's all going to be - at nighttime, I think it's all going to be that proactive policing, going out and checking and making sure everybody is okay and checking businesses. I noticed somewhere in the language here it talked about neighborhood patrols which obviously is important, but I made a note of that because that is only one part of what we do. Every business in town counts on us to keep their business safe, and we've had some businesses that have had streaks of crime occurring. And I can tell you that not I but my staff take that personally because we don't want to see somebody get burgled a couple different times.

O'KEEFE: That's a great clarification.

GROTH: Yeah. That shouldn't happen. And our officers' position is "I don't want that to happen on my watch." So if I'm working from 8:00-6:00, when I come back to work the next day, I don't want to hear that several cars got broken into in the neighborhood because how did that happen. It doesn't mean that he or she wasn't out there, but it just -sometimes that happens. And

it's a lot easier to be a bad guys sometimes and avoid the police than it is to be the police and find the bad guy. That's just the reality of the business.

O'KEEFE: So that brings me to one follow-up question, and I won't hog the whole meeting, I'm sorry, but you talked about minimum staffing and your two officers. So putting that into perspective of sometimes you'll have three, more than 50% of the time you run at two. How many times a day do you get types of calls where - I'm certain you would agree that certain types of calls that initiates the other officer that may be at the other side of town has to come over and back this officer up. Is that correct?

GROTH: Yes.

O'KEEFE: How often does that happen at night?

GROTH: Well, so here's the thing about working in the dark. It's a whole different world out there. 1) I want my police officers to go home at the end of their shift, right? We train them to stay alive. We train them to be safe. We train them to protect all of you. And so when it's daylight, there's a sense of safety that is there that just inherently isn't there when daylight goes away, right? Whether you're afraid of the dark or not, that's just the reality. So what would feel more routine during the daytime can very easily feel unnerving at 2:00 a.m. You just think about something as simple and as common as a traffic stop. When you make a traffic stop at 1:00 p.m., you're walking up to a car, there's no dark spots on that car, the sun shines, it's all well lit. Immediately upon walking up to the car, I know how many people are in the car, what kind of car it is - just imagine that, right? Just walk up to your house, and you're going to see so much at 1:00 p.m. Then put yourself in the exact same position at 3:00 a.m. on a road or in a neighborhood, and you're already going to see maybe half of what you saw before. You're not going to know how many people are in that car right away until you get up close enough to really shine the light. You may not know exactly what kind of car it is. All of that changes because it's dark out. So when you apply just that and nothing else, that in and of itself may make an officer go, and here's the point, "I'm getting ready to pull a traffic stop. Something doesn't feel right. I want somebody with me." And so now we have our two officers on one traffic stop. If the officer approaches, and there is a odor of alcohol then boom, we're going to get the second officer there because you don't mess with drunk people by yourself. You just don't. Any number of other calls are - some calls aren't going to change. Like domestic disturbances, those are two-officer calls by policy. That's my rule. Domestic disturbances are just far too dangerous, and all the research - that I do not want a police officer going to a domestic disturbance call by themselves. And so there's always going to be two. So that doesn't change whether it's 1:00 p.m. or 3:00 a.m. But the dynamic of nighttime and the final thing I point out is that generally speaking, right, you always think that's when the bad people come out. Criminals like the dark. It's always been that way as long as I've been in this business, and they can do stuff without being seen. So you just have that mindset that there's a different element out after dark whether they're driving up and down the road or they happen to be walking or around or whatever. So yeah, that can have an impact, in fact, does have an impact when we just have two officers or even three officers because two may get tied up very quickly and probably more often than they would during the day.

O'KEEFE: Thank you.

SCOTT: I have two questions. The first one would be - so I'm going to ask you to speculate a little bit, but in your experience and in your opinion, let's say one or more larger retailers in town were to be open all night long, do you think that would have a significant impact on your ability to perform these 72% of self-initiated type of activity? Do you understand what I'm asking?

GROTH: I do. I'm wrestling with three words: Speculation, opinion, and significant. So I surely don't want to speculate and can't speculate, so we'll skip to the significant part. I don't know that it will have a

significant impact. I don't know. If somebody said, "Well, come on. I think it will." Okay. If somebody said, "No. I don't think it will." Okay. I can't predict that. There's too many things at play. How does the location deal with their operation during those hours? How do they address crime within their location? What kind of staffing do they have? What's their philosophy and corporate position on how they're going to deal with crime? There's just too many things that are at play. Now as far as the self-initiated activity, my sense is that it's probably not going to affect that, but there's the potential it could go either way. It could have a negative impact, but it could also have a positive impact. It could also help to maintain or maybe even increase because it's kind of like Field of Dreams: Build it and they will come. You build a place like that, the officers are going to go there, and they're going to find things in the parking lot. They're going to - those things are just going to happen. So while you look at it as a negative, it also arguably can be a positive in that you have another opportunity to send a message, right? That's one of the things that we try to do from the preventative world, especially at night is you try to send a message that we're out, we're not messing around, and if you've got mischief on your mind, don't come here. And that's what a self-initiated activity, proactive policing, community policing - that's what that buys you. And that's why community policing has proven to be so successful at lowering and keeping crime rate down because that's in essence what you're doing.

BELOV: But you've just said, too, the public and to more of public record that you won't have that community policing available if - I mean, it's already a little bit tight with two on duty at night, and you're going to need more in the parking lot at night. So how would they - you can't be everywhere at once. So I'm not sure why that's a positive message to the world. Also, another question I had is can you also talk about the crime surrounding the Wal-Mart store in Woodburn? Have you looked at the statistics prior to them opening and then after as well?

GROTH: Well, I've just had them pull numbers and data for that location so I could take a look at what was going on at that location.

MEYER: I had a couple follow ups. So in your reports that you do on crime specifically to Sherwood, does that take into account nonemergency calls as well into Washington County?

GROTH: Yes.

MEYER: And what do those nonemergency calls look like? You had mentioned behavioral incidents, and I'm kind of wondering what you're referring to.

GROTH: Okay. I apologize. That's kind of a cop term. So when we talk about behavioral crimes, we talk about disorderly conduct; intoxication in public which in and of itself is not illegal but when it's to the point where they can't care for themselves or they're potentially putting others at risk, they wandered out in the street or whatever; fights; just low level crime that really is associated with bad behavior. So that's what we refer to with that.

MEYER: Okay.

GROTH: So the nonemergency calls. So an example of that would be some person comes out in the morning and finds that their car was broken into. They're not going to dial 911 for that, so they're going to dial the nonemergency number. So there's really no distinction for us whether somebody dials 911 to report something or they dial the nonemergency number. It's still a call into dispatch. It's still a call for service. Obviously, they can be dramatically different. If it's a cold theft as opposed to "Hey, I think somebody's breaking into my home," or "Mom and Dad are fighting," or whatever the case may be. They can be very different calls, but in terms of counting them, they're a call in from the public asking for some type of help.

MEYER: Okay. So I just want to make sure - so there's Washington County police in addition to Sherwood police, and do the two work together?

GROTH: Well there's more than that.

MEYER: Okay. Can you help me understand how that all...

GROTH: So we have had for, as long as I've been in law enforcement, a Metro area and mutual aid agreements and so - we certainly have those specific to

Washington County, but the point is they extend beyond Washington County. So if an officer in Sherwood pushes the emergency button and says, "I'm in trouble. I need help right now." Anybody that hears that could come running. That could be somebody from Newburg. That could be Clackamas County. That could be Lake Oswego. That could be anybody. So that's how that mutual aid can extend beyond that. But more often than not, it's within Washington County. So certainly, we have very strong mutual aid that takes place every day with Tualatin, Tigard, King City, and Washington County Sheriff's Office. So the unique thing about Washington County is our jurisdictions overlap, right? The City of Sherwood is in Washington County. So they may be patrolling in and through the city at any time. The way our dispatch system works and our CAD, which is Computer Aided Dispatch, works is we have what's called Automatic Vehicle Locator, and so we refer to that as closest car dispatching. So if somebody picks up the phone and says, "I need help. Life threatening emergency right now," whatever that may be, the computer system is going to look at everybody that's available and find the closest car no matter what color it is or what kind of uniform they have one, they're going to send them to that house. So tremendous value obviously because a Sherwood officer could be five blocks away, and a Washington County deputy could have just finished a traffic stop 50 feet down the road, and they're going to get that call and be there immediately because that's what we want to have happen. That's what everyone wants to have happen. So that's kind of how that overlap works. But we are within a particular patrol area for Washington County, and it's not just Sherwood. It's the other unincorporated areas around us. So there's times when Washington County will call us and say, "Hey, can you go take this crash at whatever location because our deputy is 15-20 minutes away. So there's sometimes it works really good and sometimes they're not so close.

MEYER: Yeah. Thank you. Why does - well, it's clear. I mean, we've all I'm sure looked at Sherwood's statistics, and we see that our crime numbers are by far quite low in comparison to the rest of the country which is fantastic for us. And one of the things that as we're looking at a business hours ordinance, our hope is that - well, my hope - is regards to the business hour ordinance is that we are looking at proactive measures to continue community policing. So can you talk a little bit about that as it would pertain to hours of operation and these behavioral-type incidents that you talked about?

GROTH: I'm not sure I completely understand.

MEYER: Okay. Rachel says she has a few questions.

SCHOENING: Well, I don't think that - well, let me try it. So I feel like a lot of this discussion has been about 24 hours, and I'm hoping that I can possibly ask you about the camping ordinance before we're finished with you because I have...

GROTH: Oh, absolutely.

SCHOENING: Okay. Based on the 24 hours, there's a couple of things that I was curious about, and I think that you might not have an answer, but I'm going to try anyway. One of them is when a large - I feel like this ordinance, of all the ordinances this committee is looking at, is most targeted at the elephant in the room. So I'm just going to say it: When and if Wal-Mart starts to build, and they start to put together the practices that they will have, which I feel like might define what another large retailer may do when it comes into Sherwood, when and if, can you talk a little bit about how - do you deal with them at all on a corporate level? How do you, not you personally, but Sherwood Police Department - what happens there? Do you talk to them about their policies? Do you have a system that goes into place like when Kohl's opened? Maybe you could just talk to what happened when Kohl's opened so you're not speculating.

GROTH: Sure.

SCHOENING: But I'm really curious about what happens when a new business comes in that's obviously larger than those around it. What do you do as far as communication and how do you set those things up? And second to that, what - my second, and I'll leave you alone - is what - Shari's is open 24 hours.

487 Do you feel as though there is impact to the businesses surrounding Shari's
488 that are not open 24 hours? Because that's also come up, the impact on the
489 businesses near a 24-hour business. So I'm hoping that you can speaking to
490 the ones that we actually have so you're not having to speculate.

491 **GROTH:** Okay. So we are very aggressive when working with all businesses. We
492 try to be as dialed in with them as we can. But certainly, those larger
493 businesses that are going to clearly have an impact on the work we do - so
494 for example, I was meeting with - I started in and then included my
495 leadership team as well. But we met with the management - general manager,
496 and the management team of Kohl's long before they opened 1) To build our
497 relationship in that just knowledge that we know who you are, you know who we
498 are. We talked about mutual priorities and mutual goals. In other words, we
499 want this to be a crime-free store, right? So yeah, we do that. That's
500 exactly what we would do with Wal-Mart. That's what we're going to attempt to
501 do. The only reason that would not happen would be is if some retailer said,
502 "We really don't want to talk to you." I would be shocked if that happened,
503 and it's never happened up to this point. And then we continue that process.
504 I still on occasion stop in at Kohl's and check in with Morgan, the General
505 Manager. "How are things going?" "Are we having any issues?" And just keep
506 those lines of communication open. Our officers and our supervisors work with
507 the loss prevention manager there very well; her name is Jean. And we do the
508 same thing with Target. I think he's an assistant manager, and one of his
509 roles is loss prevention, and that's Brad, is his name. And so our officers
510 work with them, and if we have issues with how things are going, we have that
511 open dialogue to go talk with them and work things out. So that is how we
512 will address that. And obviously our goal is to get them to be as aggressive
513 as they can possibly be with retail crime which generally is theft. My hope
514 and my wish would be that every retail outlet, no matter how big or how
515 small, would take that very seriously and as much as possible commit as many
516 resources as they could, people, programs, cameras. So our plan is to reach
517 out. I've got all kinds of great ideas about how we can improve the level of
518 safety there and assuming if that takes fruition then we will start that
519 dialogue and see where we can go. So I think that kind of answers the first
520 part, right? And then the second part was - Oh, the impact. I don't know. I'm
521 not sure I can answer for them. Shari's is somewhat busy. I mean, it comes
522 and goes. And so we don't have very - I didn't run numbers for Shari's
523 because I wasn't really triggered on restaurants as much as I was retail. But
524 we don't have a bunch of calls there. I don't know of any - I can't recall
525 any crime that's occurred at a neighboring business from somebody that maybe
526 was at Shari's. More likely that would happen at like a tavern or something.
527 Anecdotal, that would be more of what I would expect. Somebody has too much
528 to drink, they walk out, they get into something, they throw something
529 through a window or whatever. But again, that doesn't happen either. We have
530 a very - forget about us for a second. We have a very proactive community
531 that has a pretty low tolerance and appreciates the lifestyle they have and
532 so when things like that happen, they tend to call us, and we're right there,
533 and we deal with it. And that's really kind of the point with aggressive loss
534 prevention is to set a tone, which Kohl's did a good job of doing, set a tone
535 early on that says if you come in here and steal, we're going to get you, and
536 the police are going to arrest you.

537 **BELOV:** Can I ask you - do you feel like you'll need to hire more officers to
538 cover the night duty, the night shift, if Wal-Mart does open?

539 **GROTH:** Well, so I'm going to answer the question yes but not specific to
540 that location, and we started talking about increased retail. We've been
541 talking about increased retail - we've been talking about increased retail -
542 if you ask folks that are in the planning meetings, we've been talking about
543 this for a couple years. It's no secret that there's development that was
544 going to come. As soon as they come, we started to turn around, and I started
545 talking about the fact that retail is going to have an impact. In the budge
546 meetings I started talking about when everybody's in there, it's going to

547 impact us. I don't care what sign you hang on the door, it's going to impact
548 us.

549 **BELOV:** Can I ask you - is that a full salary position? Is it two positions?
550 And how much are we looking at that the city taxpayers will be paying to
551 cover the (indecipherable) increase?

552 **GROTH:** Well, I don't think that's a fair question because we haven't
553 determined what we're going to do or how to do it. That's part of the
554 conversation we have as a budget committee. And right now, our position on
555 the last budget was don't cut anymore. We can afford to cut anymore. And I
556 gave the budget presentation, and the direction and the consensus was we need
557 to start this dialogue. And so I'm glad that as a part of this we're talking
558 about it again, but we need to have the dialogue so the community says, "This
559 is what we expect." And the community may say, "Well, we like the level that
560 you're at" which would mean we're not going to add anybody. But if the
561 community says, "We want a higher level of activity. We want officers to be
562 doing other things. We another detective. We want somebody working narcotics.
563 We want those kinds of thing" then we have to look at who are we going to
564 add?

565 **BELOV:** We do need more officers, you don't have the budget, and you are
566 planning to hire.

567 **GROTH:** I'm not planning to hire because I don't have the money to hire.

568 **BELOV:** Then there's going to be a serious problem in Sherwood regarding
569 crime if...

570 **GROTH:** I'm not saying that. No. What I'm saying is that I identified the
571 issue to the budget committee, and so yes. In my position, we need more
572 officers because the numbers that we have now are lower than what we had a
573 decade ago. So if I could just kind of kick this can a little bit here. A
574 decade ago, we didn't have the community we have now, right? And so one of
575 the issues we have in the community is people look at say, "Well, we have the
576 same police force we've had, and I don't see the crime," and that's exactly
577 right. But the problem is the community is far different now than it was
578 then. And so the reason we have the community now is because back then we
579 made an investment, and if that investment cuts back, the return cuts back.
580 And so my concern is not for today. My concern is for 5-10 years from now if
581 we continue to lose ground. As the community continues to grow, the resource
582 needs to grow, and if that doesn't happen, that's where my fear comes in and
583 says, "Okay, what is that going to look like 10 years from now?" Because it's
584 not a 30-day process. You don't change the dynamics of a crime rate or ease
585 the sense of safety in 30 - it's a decade-long process. It takes you decades
586 to get there, it can take a decade to lose it, and it's going to take you
587 decades to get it back. So it really has to be about planning.

588 **SCOTT:** So would you say it's fair to say that because of the growth that's
589 occurred already over the last 5-10 years, which has outpaced our increased
590 spending and the growth that we expect that's already happening in some
591 places here in town that we expect to continue to happen over the 5-10 years,
592 that you would like us to add more resources regardless because that growth
593 is happening. It doesn't matter if it's company A, B, C or residential
594 neighborhoods. The growth is happening, and we need to increase resources
595 going forward.

596 **GROTH:** I would agree with that, and certainly that's part of it. I'm not
597 trying to duck away from that. That is part of it. This is as big a place as
598 we've had in a long time. It's going to need protecting.

599 **BELOV:** You mean the 190,000 square foot Wal-Mart development?

600 **GROTH:** What's that?

601 **BELOV:** You mean the development?

602 **GROTH:** Yeah, yeah. The elephant in the room. Right. Just like every other
603 business needs protecting. That's our job. So thank you because you put it
604 better than I've been able to put it, but that's really the point. So I'm not
605 trying to step away from that, but I don't, like I said, I don't care what
606 that sign says. It's a 145,000 square foot retail outlet.

607 **BRUTON:** Well, and that business is going to need protecting whether it's
608 open or closed, correct?

609 **GROTH:** Right. And that's the other point that needs to be made, and that is
610 correct. We don't - when the business closes, you know, we don't say, "Oh,
611 okay. Good. We don't have to worry about them now." That's when they're going
612 to get broken into, and so that's when we have to be out checking doors, and
613 we are out checking doors and making sure it's secure and looking for people
614 out back, and all that kind of stuff. That's all that self-initiated stuff we
615 do in addition to the neighborhoods.

616 **BRUTON:** I had a couple other questions, too, and then I know we had some
617 camping related questions. I thought this was interesting. It was posed to
618 me, "How does Sherwood police department track the location of pullovers?"
619 And I ask because it's my understanding that a business or a retail location
620 may sometimes get a pullover documented on the report as a call or a
621 (indecipherable), and I was asked to ask that. So I was curious.

622 **GROTH:** Well, we track them the same way we track everything else. It's by
623 location, date, time. So for example, let's use the address here: 22560 Pine
624 St. If the officers pulls somebody in here and says, "I'm down at City Hall
625 on a traffic stop," a traffic stop gets logged in this location. So when we
626 pull a Total Activities, that's like what I was talking about earlier.
627 There's call for service, and a traffic stop is not that, and there's self-
628 initiated activities, and they can be different, but I try as much as I can
629 to measure total activities because of the value of that community policing
630 component. So let's just assume that we make a traffic stop at a retail
631 location after its closed, and some will say, "Well, that's unfairly
632 categorizing an activity to that location." No, it's not because that's
633 crime prevention. Because now anybody that goes by, the most visible police
634 activity we do is the traffic stop. Everybody knows that. Lights are on. It's
635 on the side of the road, and everybody pays attention on a traffic stop. So
636 when we make a traffic stop in a retail lot or anywhere else, we're sending a
637 message that we're out there and we're doing our job. And if you're a bad guy
638 driving by, you see us, and you know that cops are out and about. So in that
639 respect, it's positively associated to that address. So hopefully that
640 answers that question.

641 **BRUTON:** It did. And again, I was curious. Another question that I had was I
642 was trying to get a little bit of historical knowledge in Sherwood with
643 nuisance-type calls and noise and light pollution because I know that those
644 were considerations regarding this ordinance. Do you get a lot of calls about
645 noise or light pollution in regards to retail businesses near residents?

646 **GROTH:** Well, I can't break it down by what the cause is, but we get our fair
647 share of nuisance complaints and noise and - dog, construction, talking - all
648 numbers of different things. We don't deal with light pollution. That's not
649 something that people generally call us about. That's not to say that they
650 wouldn't, but that's not something that I'm aware of happening. So you're
651 talking about "lights from the parking lot are blinding me in my house, and I
652 can't see." Yeah, that...

653 **BRUTON:** Yeah. Those are all conversations surrounding this ordinance.

654 **GROTH:** But certainly - the noise, we get those calls. We don't get a lot of
655 them right now because we don't have a lot of that kind of activity that's
656 going on. Shari's doesn't put off a whole bunch of noise. 7-11 doesn't put
657 off a whole bunch of noise. Although a huge retail outlet at 2:00 - I
658 couldn't tell you. Time will tell whether it puts off enough noise for people
659 to call us. I don't know.

660 **MEYER:** Chief, one of the things that you said that just keeps running in my
661 mind is that as Sherwood continues to grow, your resources will need to grow
662 in terms of policing. And you also talked a lot about community policing
663 setting the tone and being proactive. So as we've had our discussions on this
664 committee and as the public has come and talked to you at council meetings
665 and to us in our committee meetings, one of the very reasons that we're here
666 is to not take apart particular retailers but look at the city as a whole and
667 to work toward being proactive as opposed to reactive. So in your opinion

668 based on your professional role as a police officer for many years, how in
669 this regard will our work - how do you feel about the tone of the
670 conversation and the messages that you've heard from the public about being
671 proactive. Am I clear?
672 **GROTH:** I think I know kind of what you're looking for, and I'll take a stab
673 at it.
674 **MEYER:** And I'm not asking actually. I have no interest in looking at a
675 particular center over another center, but I'm looking at the city as whole
676 because our crime rate are reflected as a whole, right? So go ahead. Sorry.
677 **GROTH:** Well, I don't know. Maybe on second thought, I'm not sure exactly
678 what you're looking for.
679 **MEYER:** So what I'm looking for is you said that community policing is
680 successful in decreasing crime.
681 **GROTH:** In keeping it down, right.
682 **MEYER:** In keeping it down. And that community policing sets a tone for a
683 community. So as I see it, as we're working toward ways of being proactive,
684 what are some things that you've seen proven in communities that - and you
685 worked in Tualatin for a very long time. I would imagine that a lot of
686 proactive measures were implemented to continue to set that tone of community
687 policing there and in Sherwood. Can you talk a little bit about those kinds
688 of things?
689 **GROTH:** I guess - yeah. I guess what works is some of the stuff that I've
690 already talked about. And that is communicating; building strong partnerships
691 with your commercial groups, your businesses; having programs in place that
692 have come to be effective at building that community policing compliance. So
693 you have business watch type programs where you're working with the business
694 community in making sure that they're being active at reducing crime, that
695 they have lights on even though you're concerned with light pollution. As I
696 mentioned, bad guys don't like light, so businesses should be well lit at
697 night so there's no dark places to hide. Working with neighborhoods and
698 neighborhood watch programs so that neighbors are taking care of one another.
699 And if you are gone, your neighbor knows you're gone, right? They know who
700 you are, they know you by name, they know what you drive, they know when you
701 come and go, and if you forget to cancel the paper, they're going to go out
702 there and get them so they don't stack up. So those kinds of things work.
703 Commercial properties being aggressive, as I talked about, with prosecuting
704 and going after people that shoplift. Those things work. We've had positive
705 and negative examples in town, and I won't name the negative example, but
706 there has been a business in town, they're still here - somebody comes in,
707 and they will steal multiple products from the location. The business will
708 call us, we will respond to take a report to try to do whatever we can do,
709 and once we get in the business, it's all over. "We're not going to give you
710 any video, we're not going to give you information, corporate policy-we don't
711 release anything." We're dead in the water. So that's extremely frustrating
712 because what it creates is this bulls eye in Sherwood, and that's where you
713 go if you want to steal those particular things. That's not okay for us. So
714 we continue to apply as much pressure as we can and continue to work with
715 businesses when they do those things to try to get them to change, but we
716 can't control them, obviously. But the flip side of that works, and so that's
717 what we want to do is we want to create an atmosphere that isn't conducive to
718 coming into town and stealing. Sometimes we're successful and sometimes we're
719 not. So my sense is that's what you were getting at. Am I missing something?
720 **MEYER:** Yeah. I mean I think as is pertains to commercial districts, even
721 during off hours when businesses are closed, we talked about parking lot
722 games and loitering and those kinds of activities. And so those are the kinds
723 of things that I would imagine a community policing programs and taking
724 proactive measures to try to limit those kinds of activities would be
725 helpful. And that's what I'm asking. I'm not making...
726 **GROTH:** Yeah. I would agree with that. And I guess I'll just come out and -
727 you haven't necessarily asked this, but I'll just come out and address it. I
728 would hope that there would be nobody that would disagree from a purely law

enforcement perspective in terms of what is the potential - not real because we don't know, but what is the potential of any location attracting police resources? Well, that potential is far greater for certain types of things if they're not open. I don't think anybody could disagree with that, certainly from a policing perspective. So it would be foolish for me to say, "Well, that's not the case." Obviously, if a place isn't open, they're not going to get shoplifters in there. They're not going to have a fraud that's committed. There's several things that aren't going to happen if they're not open. But the other reality is that when they're closed, they do not cease to exist from our perspective. They are still a location that needs to be protected, that needs to be checked on, maybe not the entire shift but a few times, just the same as all of your homes need to be checked on and the neighborhoods need to be driven through. It's all part of the big picture of what we're doing at night. And so we have right around 6,000 residences in Sherwood. We don't have near that many businesses, right? So you would think it would make sense - and we do try to spend more time in the neighborhoods. But again, that's not that we're going to ignore the other locations. So I think that's kind of, I guess, the point that I need to make in terms of how does this all play out for us? And let me just say for everybody - if at times it sounds like I'm trying to pick my words carefully, it's because I am because I don't want this to be about what my opinion is, and I really can't speculate. So I'm trying to answer the questions as best I can and try to be as real and honest as I can with you, so hopefully we're accomplishing that.

MEYER: Thank you very much.

BELOV: Can I ask have you spoken with any Wal-Mart executives to date about safety and control?

GROTH: Yeah. I've started that dialogue. There's still a lot left to do, but there has been a conversation.

BELOV: What are they suggesting you do, and what are you hearing they will do?

GROTH: We're not at that point yet. So I just made it clear that we're here, we want to talk, and that's - yeah, we have people that will want to talk, and so that was kind of - the meeting that I was included in was not about that, but I took the opportunity since I was there to start that conversation. And I was told that yeah, absolutely, there's folks that are going to want to have that conversation. I've also had a similar conversation about the developers because Wal-Mart is a building footprint in the huge development. Well, I'm interested in that whole development being crime free and safe, and so we're going to go both avenues, and Tom as well as Joe - we've have those conversations, and that's what we're going to try to get involved in and get that ball rolling.

O'KEEFE: I appreciate your willingness to look at the big picture. I know you're choosing your words carefully, but I consider you an expert - I mean, you have a lot of experience in policing, community policing. Did you, and you don't have to answer, but are we headed in the right direction with these ordinances? Is that something you can speak to? Do you have any recommendations for us?

GROTH: First of all (indecipherable). You know, honestly, I'd have to say yes. I think you are because this is dialogue, and we have a group of concerned people that are trying to get their hands around this and figure out what the best answer is. And so in that respect, any time you do that, you're absolutely headed in the right direction. And it's just the same as if I sit down with a manager or a corporate rep from some company and I say, "Hey look, this doesn't work for us. We need you to do this." And even if they're not necessarily agreeable with it, the fact that we're having the dialogue is far better than the alternative. So does that answer -?

O'KEEFE: Yeah. Thank you. I appreciate that.

COOKE: So I have a question regarding the camping ordinance.

(Indecipherable) city council, you had said that it would be a valuable tool in your toolbox. Can you elaborate a little bit about any potential hazards

and risks that we have by having a larger center that did allow overnight camping within the parking lot or (indecipherable) ordinance in place.

GROTH: This is a much easier conversation. I already submitted language - when all this stuff started, I already submitted some language to the city attorney's office and to others to do with overnight parking. Now I was more specific. So yeah, I just - from a public safety perspective, I just don't like the idea of people hanging out, spending the night in lots like that. Not that we have a problem with that, and I don't want us to have problem with that. We have dealt with it since I've been here maybe half a dozen times, but it's just somebody could- that can happen, and there'd absolutely be no issue whatsoever, but there's just too much opportunity for bad things to happen in my professional opinion. And so I just think we're going to be far better if we just don't have folks anywhere pulling into a lot and spending the night.

COOKE: Would you be willing to share the language that you drafted with our committee. If it's something that you're already working on, it seems (indecipherable)...

SCOTT: Yeah, I was just thinking the same...

GROTH: Somebody else maybe wants to address this. I just dealt with the language in the parking chapter, and it dealt with overnight parking. I reviewed the ordinance y'all have been working on, and it's a completely different animal. You're talking about camping and lots of things that I didn't get into. So I certainly have no problem. The city attorney's office has it in a file, but that's - so I don't know if anybody else wants to chime in on that.

COOKE: Because it might be useful.

SCOTT: Yeah, I was thinking maybe it gets to the point on Thursday where if that's in a semi or mostly completed state than our draft is, we could pick which one we like better almost.

MEYER: Chief, did I hear you correctly that you said that two separate issues? So you were talking about amending the parking issue, and this is a separate - yeah, so I'm not...

PESSEMIER: Yeah, it really is completely different. He was responding to what he was hearing from council which was really overnight parking, and he was basically just taking our existing code and adding a little bit to it. So he didn't certainly have the public conversation that you guys have had with the community members and other things. I guess if you were just trying to prevent overnight parking in specific lots, that would accomplish this, but I think you guys have taken a more comprehensive look at camping in general and applied it more evenly throughout the city. So I think it would be tough to get his stuff done quickly enough to get it before the voters because it really wouldn't have that public input, it wouldn't have those other pieces, and it certainly wouldn't have been (indecipherable).

COOKE: There was something he was working on for council so that we need to take it to the voters - if it was something that the council had already requested, would we need to take it to the voters if it something he was presenting?

PESSEMIER: Well, I think at this point, it really wouldn't be something coming from this committee. And so it would be something that they could consider or they could send it on. Either way, I guess it would get to them (indecipherable).

GROTH: And if I can just add, the draft ordinance that I reviewed that you all have been working on covers what I was dealing with. But as Tom said, it goes into a whole lot more, and my response to that last question was just about the overnight parking component. The camping issue is a different issue, and since we're on that, again, that has not come up but only a handful of times since I've been here, maybe a half of a dozen, and that's probably a stretch, of incidents where we've had somebody camped out, and whether they're homeless or just transients or whatever, and we dealt with that. We worked really well with property owners and public works to get that

849 taken care of, but it's not been a big issue. But I wasn't dealing with that;
850 I was dealing with just the specific parking thing.

851 **BELOV:** I have a question. A recent fire on SW Oregon St. is rumored to have
852 been started by a homeless population living on the property somewhere, and
853 it was very expensive as far as we (indecipherable).

854 **O'KEEFE:** That's a rumor.

855 **BELOV:** That's a rumor?

856 **O'KEEFE:** Yes.

857 **BELOV:** Do we know who started it?

858 **GROTH:** Well, we don't know who. We are diligently working on the who, and
859 when we find out the who, they'll be the first that knows. But it was illegal
860 fireworks. They were messing around with fireworks. We believe that they were
861 probably local, and they were just out messing around, and they were being
862 careless and reckless, and they started a pretty significant fire. I have no
863 information that suggests that it was a homeless person. But I will tell you
864 that's always a risk because in the wintertime, folks need to stay warm, and
865 so that's certainly - as I read in the language, that certainly is a real
866 risk with that.

867 **SCHOENING:** So Chief, if I may - first of all, thank you very much for
868 Officer Drummond left a Post-It note at my business, Fat Milo's, at 3:00 a.m.
869 It was extremely reassuring to receive one of those when we get in, so I
870 appreciate that.

871 **GROTH:** Thank you.

872 **SCHOENING:** That being said, I think that one of the things that I personally
873 and I think what we as a committee we've been struggling is defining what
874 camping is. It seems that we've gotten down to the four hours, overnight,
875 what they're doing, how they're doing it. I'm wondering if - if you don't
876 want to go so far as to say what you or an officer would define as camping,
877 can you maybe just walk us through what an officer might do if he comes
878 across somebody sleeping in a car or an RV or somebody who looks like they've
879 set up camp? How might that play out? What might the conversation look like?
880 What would happen? Assuming that you're asking them to or are trying to -
881 part of the ordinance talks about allowing a designee, the chief or the
882 assistant manager, I think it says at this point, to determine in an
883 emergency situation if someone can stay. So maybe you could just walk us
884 through - an officer goes through the parking lot at 2:00 a.m., and he goes
885 through there again at 4:00 a.m., and the person's still there. At what point
886 do they approach? I just am trying to get a clear understanding, even though
887 it might not be happening a lot, what that would look like to someone who is
888 on patrol but not necessarily who has been called.

889 **GROTH:** So first of all I want to distinguish from my own definition. Camping
890 is somebody that is outside of a vehicle and has set up a location and a spot
891 in some kind of a outdoor area whether they're using a tarp or they have a
892 tent or they don't have a tent - that's how I define it in terms of our
893 response. And when an officers says, "Hey, I'm out with a camp," or an
894 officer says, "I'm out with somebody that's staying overnight in a parking
895 lot in their vehicle," RV, car, whatever. That's how I distinguish those two.
896 If somebody is in their car, that's kind of what I'm thinking of is overnight
897 parking. So because I'm rather unfamiliar with the terminology and stuff
898 you're talking about, and how that would play out is - first of all, I guess
899 my two cents is that however it finishes out, I want it to be as simple as
900 possible for the officer. So those in discussion early on about marking tires
901 - I don't want any of that. I want an officer to be able to come to a
902 location, observe an activity and know either it's okay or it's not okay.
903 That's going to make our life absolutely the easiest. And so when you start
904 defining hours and when it's okay and how long, just keep that in mind that
905 the longer the period of time, the more difficult our job becomes. So it has
906 to come down to what you all want to accomplish like how much time do you
907 want to give people to do whatever, but from our perspective only, the
908 shorter the amount of time, the easier. Because then we don't have track -
909 okay I was here at such and such hour, does it count if they went to a

different lot, you know, you can't do that. So how that would look then is that we would come upon a parking lot and see a vehicle that's sitting there - and the most obvious example is a pick-up truck and a travel trailer. The steps have been pulled out, and there's nobody in the pickup and the lights are glowing inside the travel trailer, and it's 2:00 a.m. or whatever. And so we go up and knock of the door, "What's going on?" "It was just time to stop for the night, and so we thought we'd hang out here at Target and get a good night's sleep." "Can't do that. You guys gotta go." "Why can't we do that? Does Target not want us here?" "No. It's city ordinance. There's not right parking in a parking lot. You gotta go." That's simple. That's easy. That's just as straightforward as it can get. Camping would be the same way. You can't - we come across a camp, our officers get out and walk around greenways and railroad tracks, and they know where all the little hidey holes are. One value of fires - it tends to clear the visual pathways. So before that burned out there, there was hiding spots. So officers would get out on foot and go out there and look, and they'd find tarps, tents, whatever, and "Hey, what are you doing?" "Well, I'm just hanging out, down on my luck." "Okay, look, you can't camp here. You need to move on. You can't do that." That's how that would look. Oftentimes, you can't just grab a tent and a bunch of stuff, depends on how long they've been - so oftentimes we'll give them a couple hours. We'll come back and check. Public works then will come out with us. We'll make sure that the place is then cleaned and to a level of safety that there's not too many things left behind that shouldn't be there. In terms of the emergency thing, that's a whole different ballgame. And we actually have resources because of how we work with the community that if we come upon somebody that is truly down on their luck: "My car broke down," whatever the case may be, and "I was just going to spend the night here. And I don't have two nickels to rub together. I haven't eaten in a day and a half." We can give them vouchers, and we'll hand them a ticket and say, "You go to this motel. Here's your voucher that the motel has given to us, and here's a voucher for a meal." We have to use motels that are out of town of course because we don't have one, but Red Robin, great partner, will give us meal vouchers. "Here, go get a meal." We've given those to folks who have had their houses burn and so now they're suddenly homeless; they got to find a place to stay. Fire department does the same thing. We'll give them a voucher and say, "Hey look. Red Robin is going to take care of your dinner tonight for your family." So in an emergency situation, there's tools out there that we have to deal with. So again, from my perspective, there wouldn't really need to be a situation where I'd say, "Okay, well we understand you're down on your luck. Just hang out." That would be the absolute last resort because, again, when somebody is sitting there, there's just too much potential, in my professional opinion, for bad things to happen. That's an uncontrollable situation.

SCOTT: What would you do in a situation where you come across somebody staying in their car, trying to sleep, and they say, "You know what, I'm driving down the road, I'm nodding off, I can't keep my eyes open." What do you do in that situation.

GROTH: I say, "Good for you. Smart decision. I'll be back by in 45 minutes/an hour, you need to be out of here. If you're still here, I'm running you out."

SCOTT: Okay.

GROTH: A lot of times we'll come across people, and the reason they're nodding off is because they threw too many back. So it's a whole different issue.

SCOTT: Sure.

GROTH: Yeah, in a situation like that, that's good decision making. They're clearly not looking to stay overnight. They just need a break, and we're going to help facilitate that and get them moving on.

O'KEEFE: So am I correct in hearing what you're saying is we need to shore this up, make in simpler so it's black and white.

970 GROTH: No, sir. I'm actually not saying that. What I'm saying is that what I
971 dealt with initially was I was just focused on the overnight parking issue.
972 You all have tackled a much grander scheme, and I applaud you for that. We
973 hadn't gotten to that yet, so I'm not saying that you need to change
974 anything.

975 O'KEEFE: Oh, okay. All right.

976 GROTH: What I'm saying is you're working on a completely different thing
977 than I worked on. Whole completely different scope. You're dealing with the
978 bigger picture of...

979 O'KEEFE: Part of your thing is that we had turned over the nuisance,
980 dilapidated vehicle parking to your office also, right? Is that correct?

981 MEYER: We're not quite there yet.

982 O'KEEFE: Oh.

983 MEYER: Okay.

984 O'KEEFE: Good.

985 PESSEMIER: I think what Jeff did say is this question you've been wrestling
986 with kind of in the definitions under B, there's an "or" statement there. We
987 asked them to come back with a couple of alternatives, and the first one
988 would probably require them - Jeff said the shorter, the better - would
989 require them to probably mark tires or something because it's four
990 consecutive hours. The second one after the "or," camping means "the use of
991 an area open to the public as temporary quarters for the purpose of living,
992 sleeping, or residing between the hours of 1:00 and the 5:00 a.m." That would
993 give them the ability just to come up, the lights are on in the RV, and be
994 done." So I think that's what you were trying to stress. Is that correct,
995 Jeff?

996 GROTH: Yes. Thank you.

997 O'KEEFE: I do agree with those hours. Is that convenient? Is that in line
998 with...

999 GROTH: I think that's reasonable.

1000 O'KEEFE: Okay.

1001 GROTH: Yeah. You could - if you budget out those hours an hour one way or
1002 the other, I wouldn't have any heartburn. I think you're right where you need
1003 to be, especially specific to the overnight parking. The camping as I defined
1004 it, somebody set up a tarp and a bedroll and a cooking fire out in the old
1005 tannery some place in the trees - whole different deal. Just saying they
1006 can't be there between 1:00 and 5:00 isn't going to accomplish the purpose,
1007 but there's really more to that. You just can't camp. So I don't want you
1008 sacking your stuff up at 1:00 a.m., leaving, and then coming back at 5:00
1009 a.m. and setting it back up. It seems ridiculous, but I would hate to have a
1010 loophole. So that's why I see two different components to...

1011 MEYER: So maybe looking at just even striking all hours and placing a period
1012 at the end of "residing." So we are removing - I'm not saying we are
1013 removing, but we consider removing "between the hours of 1:00 a.m. and 5:00
1014 a.m." so that the police department has that leg, if you will, to stand on to
1015 move people along.

1016 O'KEEFE: I think we're - from what I got from talking to you is I thought we
1017 were removing that part and leaving the second part.

1018 MEYER: Well, what I - well, Chief, go ahead.

1019 GROTH: I guess the confusion that I'm creating is because I've distinguished
1020 between two things, and I apologize. I'm not trying to create that confusion,
1021 but in our world, there are clearly two different things that happen. There
1022 are people who overnight park in lots, and that's problematic. We don't want
1023 them to drive their camper or their station wagon or whatever into - the last
1024 one was at the ice arena - and spend the night because they don't have any
1025 place else to go, for all the reasons I mentioned. But then that's completely
1026 different than somebody - although it's very similar, it also can be
1027 completely different than somebody that finds an open area off the railroad
1028 tracks and decides that this is a good place for them to hang out for a
1029 couple weeks, and they're just going to set up a nice camp. Those can be two
1030 different things.

PESSEMIER: I understand that. Does this ordinance cover both of those things, though, as written?

GROTH: Well, yeah. I think it does. The "between 1:00 a.m. and 5:00 a.m." - like I said, I would hate to create a loophole.

MEYER: So perhaps what I hear you saying is strike the hours so it keeps it simple. So camp or camping means "the use of an area open to the public as temporary quarters for the purposes of living, sleeping, or residing." And then it goes on to define what that means.

BRUTON: So if I may ask, Tom, I believe that we were going to be getting a copy of the trespassing language. I think that there may be some crossover there, too.

MEYER: That's great if there is, but I would guess that that would be even better for your officers.

GROTH: The trespassing statute just simply says that you enter in or remain on a premises where you don't have legal permission or authority to be there. So I own 50 acres on the edge of town, and I go out and somebody is setting up camp, and I'd say, "You can't be here. You're trespassing." "Oh, I'm not bothering anybody." "Well, you leave or you get arrested for trespassing." One of the problems that we occasionally run into, not to muddy the waters, is that some property owners go, "Oh, yeah. It's a rough go. I know the economy's tough. Go ahead. That's fine." So when we come across them - this was an ongoing issue at the previous place I worked because there was a significant property owner that let people stay on his property, and we were constantly going to problems out there. And we'd say, "You gotta get these people off there." (Grumbles). So you come here, "Why are you here?" "Well, because he said I could stay here." So, again, sorry. I'm muddying the waters, so that's what trespassing - so if we're working with a property owner and they say, "Hey, I got somebody out on my property." That's easy. I don't need an ordinance for that. "The guy says you can't be here. Get your stuff and leave or you're going to go to jail." That's simple. But what we want to deal with is those areas that aren't quite so simple: City property, public spaces where people can come and go as they please, greenways, areas where the ownership is in question. Those kinds of things.

PESSEMIER: I do have the language for trespassing here, but that was kind of the same conclusions I came to. If the property owner is okay with it, let's say even some supercenter was okay with it, then you wouldn't have the tools under the trespassing.

BRUTON: Gotcha.

MEYER: Well then, it sounds like we're working toward great language that would really promote the police's ability to have people booted essentially, yes?

GROTH: I think so. Yes. I would hope that, notwithstanding anything the city attorneys would say, I would hope that this ordinance would give us the ability to define somebody and say, "You need to move on." "No. The owner said I could stay here." "Well, that's really nice of him, but the ordinance says you can't. So you need to move on." So I would hope that we would have that ability as long as we have it clearly defined that they're not - well, it's a moot point because if they're actually establishing a residence, they would have to have building permits and all that. So I think we can get there.

MEYER: Great. Thank you. Heather, did you have anything to add on this?

MARTIN: No. I was just thinking about language that you already have in your code about public areas and what is and is not allowed in the public areas and making sure that language addresses it but also having this separate and then - because what you're getting at is a whole other question of whether you're basically allowed to camp, not as defined under this chapter, but camp in open areas at any time, and you want to be able to go ahead and say, "This is a city park, and you're not supposed to be camping here. Period." If it's not a campground or it's not...

GROTH: And you don't have permission. I mean special permission. In other words, it's an event or something.

1092 **MARTIN:** So that's really a whole issue that you've identified that you would
1093 like to be able to do that, and we really didn't really look at that question
1094 on separate...

1095 **MEYER:** Wouldn't that be covered under this regulation of camping on page 2
1096 where it says, "(indecipherable) otherwise provided, no person shall camp in
1097 any open area to the public." Wouldn't that -

1098 **PESSEMIER:** Yeah. I don't think so because the definition of area open to the
1099 public, and I had them capitalize that because I wanted to make sure that
1100 didn't get confused with an area open to the public, is defined as outdoor
1101 areas and private property within the city which the public has access to.

1102 **MEYER:** I thought we actually added public or private in the last week -

1103 **PESSEMIER:** Yeah, I didn't have any notes in regards to that, but certainly -

1104 **MEYER:** So would that accomplish essentially what the language is trying to
1105 achieve based on the chief's recommendation? If under "Area open to the
1106 public," we simply list "means all outdoor areas on public and private
1107 property within the city."

1108 **PESSEMIER:** Or just property.

1109 **MEYER:** Yeah, or just property. Heather, what are your thoughts?

1110 **BELOV:** We are talking about within the city limits, correct?

1111 **MEYER:** Yeah. Right.

1112 **MARTIN:** I think I would say "private" of the property.

1113 **MEYER:** okay.

1114 **MARTIN:** But this is still - so when you get into what you're regulating, and
1115 camping is defined here as between the hours of 1:00 and 5:00, so that's
1116 still what you're regulating.

1117 **MEYER:** Well, I think that we talked about striking all of that language.

1118 **O'KEEFE:** We're striking the hours?

1119 **MEYER:** So we would strike everything up to "the use of an area open to the
1120 public as temporary quarters for the purpose of living, sleeping, and
1121 residing," and then period. Right? Yeah.

1122 **MARTIN:** Then we just need to make sure if we do go that route, looking at
1123 all of these items that are listed here too, is going back to some of the
1124 conversations that we had before about what do you want to allow people to
1125 do? If they're just there maybe for an hour or two - we talked about a family
1126 stopping and carrying on cooking activities. So if you're saying you don't
1127 want to allow that at all and take out that time.

1128 **SCOTT:** Yeah, I know. I see what you're saying, and I think that - maybe this
1129 is not the best way to draft an ordinance, but I think, hearing from the
1130 Chief, what I'm hearing is that could be handled under the discretionary
1131 power. You come along to somebody, "I'm making my tuna sandwich." "Okay.
1132 Great." "We'll be gone in a half and hour. No problem." Right? So maybe
1133 that's one way it can be handled?

1134 **GROTH:** Yeah. If I may, one of the phrases that is always so useful,
1135 "including but not limited to." If you put that in front of number (3),
1136 number (4), and number (5), then it could be any of them or it could be all
1137 of them, but it wouldn't necessarily need to be any of them. So that would
1138 help perhaps with that discretion. But you're exactly right. And that is we
1139 come across the RV that I described, and we knock on the door, and say it's
1140 11:30 at night, and they say, "Oh, we just pulled in here to have a bite of
1141 dinner, and then we're back on the road again." "Oh, great. Enjoy your meal."
1142 And we come back by, you know, whatever, and if they're still there, now
1143 there's a problem, and they're out, but they're probably going to be gone.

1144 **COOKE:** And we do have that in...

1145 **MARTIN:** (Indecipherable).

1146 **GROTH:** Oh, yeah. There you go.

1147 **MARTIN:** So would we leave...

1148 **COOKE:** Yeah, we need number (3), (4), and (5) included.

1149 **GROTH:** And let me just point out that when that paragraph starts, "Such
1150 activities may include but need not be limited to..." So you have it there, and
1151 it just continues on through 5. So it doesn't have to be all of them, it
1152 could be any one of them, that would be indicative that you are getting ready

1153 to camp. If you're sleeping then that's a giveaway. If you're making
 1154 preparations to sleep, you know, blah, blah, blah. You go through that. Any
 1155 one of those could potentially be an indicator.

1156 **SCOTT:** I like the idea of having flexibility in enforcement because it's
 1157 really hard, I think, to draft an ordinance that's going to cover every
 1158 possible scenario and mandate to you exactly how to enforce it because I
 1159 think what we're getting to here really gives your department a lot of
 1160 flexibility in how you enforce this.

1161 **MARTIN:** What I would recommend, if that's what we're looking at doing, when
 1162 you look at this second page under the variance section there, you have that
 1163 emergency. It basically says, "provided an emergency situation exists." So
 1164 maybe we can take out "emergency." "The police chief or the city manager may
 1165 permit a person to camp in the areas open to the public provided a situation
 1166 exists necessitating a need to camp," instead of having it be an emergency
 1167 situation. So then I think that maybe covers - up to the police chief's
 1168 discretion and his designee or designee. I can put that in there too.

1169 **SCHOENING:** In my notes, I had police chief, city manager, or designee, but I
 1170 didn't see that change. I think we discussed and decided that that was going
 1171 to be the case because that takes it out of the hands of the police officer
 1172 the way it's written now.

1173 **COOKE:** So we didn't have to wake you up at 2:00 in the morning...

1174 **GROTH:** No. Let's word it that they can make a decision. Yes, please.

1175 **SCOTT:** I think that it's one of those cases where in the spirit of the
 1176 ordinance is clear, but writing the exact language is harder. But everyone
 1177 knows the intent, and your guys can handle that.

1178 **GROTH:** Thank you. And the point you made is exactly right. All of
 1179 enforcement includes discretion. Given the situation, circumstances,
 1180 (indecipherable) make tremendous decisions all the time. And on the rare
 1181 occasion that they do something that we look at and go, "Well, that was kind
 1182 of a bone-head decision." They get coached on it, and hopefully it doesn't
 1183 happen again. But yeah. It's going to be based on circumstances and you're
 1184 exactly right. We need to be allowed that discretion.

1185 **BELOV:** My time is limited. Unfortunately, I need to go very soon. I just
 1186 wanted to check if we will be taking a break so maybe I can present this
 1187 information I had and then we can take a break.

1188 **MEYER:** For the Chief?

1189 **BELOV:** I don't know if you're going continue past the break, but I need to,
 1190 unfortunately...

1191 **MEYER:** Does anyone have any more questions specifically for the Chief?
 1192 Anyone? Anyone?

1193 **COOKE:** I would like to say it was great having you come and that the
 1194 information you have is fantastic.

1195 **GROTH:** Thank you.

1196 **O'KEEFE:** I would second that. Thank you so much, Chief.

1197 **GROTH:** You're welcome. Thanks for having me.

1198 **MEYER:** Thank you very much. With that, let us, yes, take maybe a 10-minute
 1199 break.

1200 **BELOV:** I need to leave right away, though. So do you mind if I hand this
 1201 out? It's crime and Wal-Mart, Wal-Mart...

1202 **MEYER:** Did you save this to Sylvia for...

1203 **BELOV:** I'm going to right now. I have one for each of you and then one for
 1204 her. I would to ask too, just to be sure, that - Nancy, have you have the
 1205 chance to read all of the letters to the city that the people have written?

1206 **BRUTON:** I have not.

1207 **BELOV:** Okay because I feel like some of the work that we've been doing here
 1208 - I just want to go over and read - one thing that people were asking us, and
 1209 we had 1,800 of these, people say, "I ask that you consider ordinances within
 1210 your power to protect the workers of our community and our small businesses.
 1211 All workers in Sherwood deserve benefits such as healthcare, fair wages, and
 1212 protected sick leave. Our local businesses should not have to compete with
 1213 mega corporations that offers less. I feel like we have not answered their

1214 concerns, this committee. We haven't done our best job, and I feel in a way
1215 that this - because this committee was selected by the city council, and
1216 there are three at least - or I don't know. Larry, do you live in Sherwood?
1217 **O'KEEFE:** For the record, I do live in Sherwood. Thank you very much. Seven
1218 years.
1219 **BELOV:** Okay. So I just feel like some of us have not kept that in mind. For
1220 the record, I do want to support both of the new ordinances that are being
1221 proposed, and if you change the hours slightly either way, it doesn't matter
1222 to me. I'll still support them. Thank you.
1223 **MEYER:** Thank you, Naomi. With that, let's go ahead and take about a 10-
1224 minute break. We will reconvene here at 8:20. Chief, thank you very much.
1225 **GROTH:** Thank you. Do you need me for anything else?
1226 **MEYER:** I don't believe so.
1227 **BREAK**
1228 **MEYER:** All right. It is now 8:20, and I'm going to call the meeting back to
1229 order. While we are not - for the sake of moving forward with what I feel
1230 like we're getting really close to is the camping ordinance. So if the
1231 committee agrees, what I'd like to do is talk a little bit about the camping
1232 ordinance, and just so we'll switch up the agenda if that's all right with
1233 everyone. Everyone okay with that?
1234 **SCOTT:** Yes.
1235 **FEMALE:** Yeah.
1236 **O'KEEFE:** Yes.
1237 **MEYER:** Okay, Larry. Okay. So Chief Groth was able to provide us a lot of
1238 great information on this, and as I took notes under item D, under Definition
1239 - actually, let's start with A. We simply struck the word "private" in the
1240 first line and left "area open to the public means all outdoor areas on
1241 property." And then under item (B)...
1242 **SCOTT:** Can we stay on (A) just for a second?
1243 **MEYER:** Sure.
1244 **SCOTT:** So a couple things as we start getting into (A) is there is in the
1245 trespass definition that Sylvia just handed out is there's a definition of
1246 open to the public which is different than this definition of area open to
1247 the public. So I feel like we should maybe try to make these the same or
1248 similar. I'm also concerned about if we - because originally when we were
1249 writing this, the intent was specifically to focus on private property, but
1250 if we now are expanding that to include public property, I think there's
1251 already some camping-related ordinances in our code about public property.
1252 **MARTIN:** I'm not sure without - why I originally brought it up, I was trying
1253 to think in my mind what you already have in your code that might already
1254 address that. But we can look into it. What I was hoping to do was just kind
1255 of go back and make sure that just by taking "private" out of there that
1256 we're not creating some issues and maybe have to come back and see if that's
1257 the right way to say it or maybe saying private and public property. Just
1258 making sure that this still works in the theme of all of your codes.
1259 **SCOTT:** Is there a way to look at clarifying the language then between the
1260 trespass definition and this definition? Are open to the public.
1261 **MARTIN:** We have that language here.
1262 **SCOTT:** Yeah.
1263 **MARTIN:** so basically each of these - I mean, we could try to make them more
1264 similar, but they do have language saying that in this chapter, this is how
1265 it's defined in this chapter, and this is how it's defined in the trespass
1266 chapter. So it is clarified that you can have different definitions and
1267 statutes do that (indecipherable) have different definitions.
1268 **SCOTT:** Okay. I would just like to understand then if we do expand this to
1269 include public areas what impact that has on other existing areas of code
1270 because - and I'm really concerned about time because if we get that back on
1271 Thursday, that's our last meeting, and I don't know that we're going to have
1272 enough time to..
1273 **MARTIN:** Do you want me to read this? Trespass?

1274 **SCOTT:** No, no, no. I meant the other public camping code that may or may not
1275 exist. I thought it did, but I don't know for sure.

1276 **PESSEMIER:** Yeah, and we were just actually talking about that. You will have
1277 a chance on Thursday, and that's something that the attorneys will be looking
1278 at is are there any overlaps in codes and any last-minute things that need to
1279 clean up. They'll present that to you before Thursday so that when you guys
1280 do actually get to a vote, which you will probably do on Thursday to make
1281 recommendations that those questions will be answered in one way or another.
1282 And you can always amend the language at that meeting at that point. You can
1283 basically take this and say, "I want to amend it to say Y" basically and
1284 whatever.

1285 **MARTIN:** I don't think the language in the trespass chapter is going to give
1286 you exactly what you want, so I think you probably are going to have to keep
1287 them different, but...

1288 **SCOTT:** I just wanted to make sure it didn't create a conflict at some...

1289 **PESSEMIER:** No. We did talk about that. We will take a look through that to
1290 make sure striking that word "private" doesn't conflict with other areas in
1291 the code.

1292 **MEYER:** Great. Any other comments on section (A)?

1293 **O'KEEFE:** I do have one question that was brought up to me is how would this
1294 affect the motor home that is parking on the street. Is that area open to the
1295 public or is that public property or - because we touched on that a meeting
1296 or two ago, but I'm still not sure whether that falls into this category.
1297 It's an RV - typical example: Relative comes by, and in front of your house,
1298 parks their RV on the street. What is the - does that fall into this
1299 ordinance?

1300 **PESSEMIER:** I think it would (indecipherable), but there's also another
1301 ordinance that apparently covers that, and that's the conversation that we're
1302 kind of having here about making sure we double check these to see if
1303 scrapping that word doesn't create problems elsewhere that we need to address
1304 before it comes back to you.

1305 **MEYER:** So Larry are you satisfied tabling discussion until we get information
1306 back from the attorney's office?

1307 **O'KEEFE:** Yeah. I'd like to get clarification on that, and my thought is not
1308 to inhibit relatives parking their motor home...

1309 **MEYER:** Yeah. And I'd just like to remind you, too, that built into the
1310 ordinance, we do have the variance language.

1311 **O'KEEFE:** That's right. That's right.

1312 **MEYER:** The variance language would make me feel comfortable about Grandma or
1313 others.

1314 **O'KEEFE:** Okay. All right. I just wanted...

1315 **SCOTT:** I don't know that getting a variance for a night or two - I mean,
1316 that seems a little onerous to me. I think, you know, obviously if somebody
1317 is going to be in their RV for a week in front of your house, I think a
1318 variance is reasonable, but if they come in for a day or two - maybe they're
1319 meeting you and then you're all going to go somewhere, and they stayed there
1320 one night. It seems a little extreme to me. So I'd like to see - I think it's
1321 three days on the other code I think someone told me. I don't know that
1322 that's true or not.

1323 **O'KEEFE:** (Indecipherable) understanding, but I may be wrong on that.

1324 **SCHOENING:** I'm sorry to say this, but that seems extremely - anyway. It seems
1325 that we're making a judgment about the quality of person that might possibly
1326 be camping on the street as opposed to who might possibly be camping
1327 elsewhere, and I don't really feel comfortable with that. And we've said - I
1328 felt like we discussed the fact that this was going to affect private
1329 property. And so what I also want to point out is we also discussed concerns
1330 of homelessness and transients, and so this would mean, Doug, with your
1331 proposal that if I felt that there was a homeless family who was in need, and
1332 they had been asked to leave somewhere else in the city, I could open the
1333 front of my residence for up to three days for them to stay without a
1334 variance with what Doug just asked to have happen.

1335 **BRUTON:** That's true, and there's going to be exceptions on both sides of
1336 this, I feel, based on the language. I wanted to just quickly add that I did
1337 reach out to a good majority of our churches in town, and a lot of them do
1338 camping outings on their private property.

1339 **SCHOENING:** Right, but a variance would cover that, Nancy, so I get what
1340 you're saying...

1341 **BRUTON:** I wanted to point out that they said that there's a lot of
1342 frustration in applying for a variance, that that would change them doing
1343 that scope of activity, and that was the feedback that I got from them.

1344 **SCHOENING:** Okay. I hear you. I don't think it's the same thing. I think what
1345 Doug and Larry were talking about was amending this to allow for someone to
1346 camp on a private street for up to three days. But we specifically said that
1347 we were going to do that, and I feel like that also promotes the moving about
1348 the city that we were trying not to...

1349 **SCOTT:** I'm actually not proposing this. Up until today, this didn't cover
1350 public streets. So the fact that we're now talking about amending it to cover
1351 public streets I think changes the dynamics, and it brings into question a
1352 potential conflict with existing code.

1353 **SCHOENING:** I thought it always covered public, so I apologize if I'm wrong,
1354 but I didn't think that was new language in this one.

1355 **MEYER:** And I think that once Heather has an opportunity to review the code,
1356 she will be able to identify for us on Thursday what, if anything, overlaps
1357 and so then we'll have a much clearer opportunity to discuss these points.

1358 **O'KEEFE:** Yeah, I'm okay with tabling this until we get more clarification.

1359 **COOKE:** And (indecipherable) - we had a conversation at the last meeting
1360 regarding churches specifically, wasn't that the case?

1361 **MEYER:** Yeah.

1362 **COOKE:** Okay. So we're excluding churches, so that would mean that they're...

1363 **BRUTON:** They're on the text currently.

1364 **SCOTT:** Yeah. I think we discussed and decided not to remove them because the
1365 variance process would cover them as well as any other organization.

1366 **MEYER:** Right. And given that the variance process would not be cumbersome in
1367 nature, we collectively agreed that that was a reasonable public area.

1368 **COOKE:** Okay. You're correct.

1369 **PESSEMIER:** So just that I'm clear, we're leaving the word "private" in then
1370 until we get further clarification?

1371 **MEYER:** I think we're going to, if I'm understanding this, is we'll take the
1372 Chief's recommendation of removing "private," just leave the word "property,"
1373 and wait for the city attorney's office on direction in terms of overlap
1374 language. Is that agreement? Do we have consensus on that?

1375 **BRUTON:** Is that easier for you, Heather, to look at that with that in mind?

1376 **MARTIN:** Yeah. I think we just have to look at the rest of the code, and I
1377 just want to see what language we have that might already address that. And
1378 also, I just want to look at it holistically and just work it through every
1379 scenario that I can think of like if we took that out, how is that impacting
1380 it.

1381 **SCOTT:** So I'd actually recommend then we leave it in until you come back
1382 with a recommendation if that's not harder for you.

1383 **MARTIN:** Whatever, it...

1384 **MEYER:** The holistic approach like Heather just said and for her to look at
1385 the language.

1386 **SCOTT:** Yeah, but I'm recommending we do not alter the language in (A) until
1387 we get something back on Thursday.

1388 **BRUTON:** I'm comfortable with that.

1389 **O'KEEFE:** Me too.

1390 **MEYER:** Okay.

1391 **SCHOENING:** I don't think it makes any difference if we take it out or leave
1392 it in if she's addressing whether it makes sense.

1393 **COOKE:** Right.

1394 **MEYER:** Okay. So we will rereview that language on Thursday. Now on to
1395 section (B) Camp or camping means - this identifies a definition, and based

1396 on the Chief's recommendation and professional opinion, what I heard him
1397 suggest is that we simplify this language, removing actual hours from the
1398 language. So what I have noted is "Camp or camping means the use of an area
1399 open to the public as temporary quarters for the purposes of living,
1400 sleeping, or residing." Additionally, at the beginning of the next paragraph,
1401 "such activities may include but may not be limited to..." - there was
1402 something else I'm missing, Heather?

1403 **MARTIN:** Any one or more...

1404 **MEYER:** Any one or more...

1405 **MARTIN:** Because you have the "and" there at the end. I just want to make it
1406 clear, you don't have to be doing all five of those things. It's not limited
1407 to those five things, but I think that would clarify that.

1408 **SCOTT:** I would like to remove the word "overnight" now that we're not
1409 talking about any specific hours.

1410 **MEYER:** So before (3), you'd like to remove "overnight occupancy."

1411 **SCOTT:** Just the word "overnight."

1412 **MEYER:** Okay. Is everyone comfortable with that?

1413 **COOKE:** Yes.

1414 **MEYER:** Yes?

1415 **O'KEEFE:** Yes.

1416 **MEYER:** Okay. Perfect. The only other thing, Heather, that I noticed - if you
1417 could just be so kind as to, throughout the language, assure that in each of
1418 these paragraphs within the ordinance, we list the chief of police or their
1419 designee or designee.

1420 **MARTIN:** I have that. I noticed that here.

1421 **MEYER:** Thank you.

1422 **SCOTT:** Also, on page 2, about middle, section (C), we talked about removing
1423 the word "emergency."

1424 **MEYER:** (C)(1) - the very first word will say "A situation" as opposed to "an
1425 emergency situation."

1426 **SCOTT:** Agree.

1427 **COOKE:** Agreed.

1428 **MEYER:** Rachel? You okay? Okay. Those are all the notes I have on the camping
1429 ordinance. Does anyone else have anything to add before we close the
1430 discussion? Okay.

1431 **O'KEEFE:** We're all okay with the \$100 for each day?

1432 **SCHOENING:** I want to point out that we're okay with \$100 - I'm sorry. I don't
1433 want to speak for all us. I felt like I was okay with \$100 because at that
1434 point, we were still talking about residential streets. So I want to make
1435 sure that we revisit that when we get back - maybe that's an overlap of
1436 ordinance. Because I think \$1,000 - there's a difference between \$100 and
1437 \$1,000, and if we're talking about someone who is just living somewhere and
1438 decides to let grandma park, I think \$100 a day is a lot of money...

1439 **O'KEEFE:** I would agree with you on that.

1440 **SCHOENING:** So I would just ask that we revisit that fee...

1441 **O'KEEFE:** Reserve the right to revisit this at a later time.

1442 **COOKE:** We had also some discussion previously regarding commercial areas
1443 versus the entire city. So I mean, we can talk about that one last time.

1444 **SCOTT:** Doesn't that go back to the point (A) which we decided to talk about
1445 on Thursday?

1446 **MEYER:** Yeah.

1447 **COOKE:** Okay.

1448 **MEYER:** I think it does. So perhaps we'll just table all of the further
1449 discussion until we have the third draft of the ordinance with the changes
1450 that we've just discussed. And then on Thursday, it will be our intention to
1451 look at final language and potentially make a vote on how to best present
1452 this to council for review. Okay? Great.

1453 **PESSEMIER:** So one last thing before we move on - the question of the Elks.
1454 It's okay? Okay. On the regulations of camping, you noticed that there was
1455 some changes to that language there. We did go back and take a look. The Elks
1456 was issued a conditional use permit back in 1966 from the county which

1457 apparently is still valid. So they don't believe there's any issues with that
1458 property in the way this text was changed here.

1459 MEYER: Yeah, and I'm really happy with just the language that indicates a
1460 lawfully existing area designated for camping.

1461 SCOTT: Thank you for pointing that out.

1462 O'KEEFE: Thank you.

1463 MEYER: Okay. So let's move on to the second draft language regarding
1464 business hours.

1465 O'KEEFE: Point of order. Do you plan on taking any public input before we
1466 close the discussion on that?

1467 MEYER: It'll just really depend on consensus and time. What I'd like to do
1468 is suggest we get through the regulation of business hours, we take a look at
1469 the first-draft report to city council so that I can get some guidance from
1470 the committee on...

1471 O'KEEFE: Okay.

1472 MEYER: And then after that, we can absolutely take some public comment if we
1473 are all in agreement to do so. So let's move on to the regulation of business
1474 hours. Who would like to begin? Any notes or comments on the second draft
1475 language?

1476 SCOTT: Sure. I'm don't know if you want me to just go through all my notes
1477 or if we want to go through it a section at a time, or how do you want to
1478 approach this?

1479 MEYER: Well, just maybe go ahead and start maybe per section.

1480 SCOTT: Okay. So I'll start within section (A)(2)(a). On "Permit the
1481 city's...", I'd like to remove the word "limited." I think a) It doesn't add
1482 anything, b) It's a subjective term, and c) Over the life of this ordinance,
1483 it may - the factual case of whether it's limited or not may change. So I'd
1484 suggest we remove that word. Plus, it maybe kind of advertises the fact that
1485 we don't have enough police which I don't know is the best thing.

1486 MEYER: Before we go on to that - Heather, do you see any issue? Okay.

1487 MARTIN: (Indecipherable).

1488 MEYER: Okay.

1489 SCOTT: And later in the same sentence, based on feedback we heard from Chief
1490 Groth, I'd like to, starting with the word "Protection," strike the words
1491 "residential neighborhood" and add the words "protection to the city as a
1492 whole."

1493 SCHOENING: On that same comment, I don't feel like the chief said this. I
1494 don't feel like this is a true statement. So maybe we can discuss it further,
1495 but I was hoping we could just talk about protection of the city as a whole
1496 as opposed to delineating between residence and business.

1497 COOKE: I'm comfortable with that.

1498 MEYER: I am as well. Larry, Nancy, any additional thoughts?

1499 O'KEEFE: I'm comfortable with the new wording. I got the impression from
1500 Chief Groth that he had specifically stated that - 6,000 residents. He wants
1501 to protect them, but he doesn't want to forget about the businesses that may
1502 be closed. So yeah, "city as a whole" sounds great to me.

1503 MEYER: But are you comfortable with - yeah? Okay.

1504 MARTIN: "To the city as a whole." That's the language that you all - or "to
1505 the entire city."

1506 MEYER: Perhaps just to the City of Sherwood?

1507 O'KEEFE: That's fine.

1508 SCOTT: Yes.

1509 MEYER: Okay.

1510 SCOTT: I have nothing else on page 1 if anyone else wants to.

1511 SCHOENING: Along those same lines, section (A) above that, (b), it says
1512 almost the same thing. It creates the "incidence of arrest, criminal
1513 activity, and/or nuisance complaints associated with retail sales and
1514 personal service businesses during the late night/early morning hours, which
1515 the city believes is individually and collectively an adverse impact." Does
1516 the city actually believe that because it sounds like the chief doesn't.

1517 **BRUTON:** I would think it would be appropriate to strike that and leave it
1518 after the term "morning hours."
1519 **MEYER:** One of the things I did hear the chief say is that while we don't
1520 have a problem, we don't want a problem. So I would be comfortable adjusting
1521 the language perhaps, but perhaps not completely striking it.
1522 **MARTIN:** You could just put a period after hours.
1523 **SCHOENING:** Or what about after "Personal Service/Business."
1524 **SCOTT:** Well, I think we're specifically talking about late night, early
1525 morning hours, so I do think we need to leave that part in at least.
1526 **MEYER:** Thought? Okay.
1527 **SCOTT:** So what about if did something - so after hours. What if it said
1528 something like "which we may have an adverse impact on" blah, blah, blah.
1529 **SCHOENING:** I feel like if the chief isn't willing to speculate, I'm not
1530 comfortable speculating. That's how I feel about it. If we insist on putting
1531 "early morning hours", I understand that we're trying to make an argument for
1532 this ordinance, but at the same time, he did not - I feel like we asked him a
1533 lot of different ways to talk to us about whether he is specifically
1534 concerned about late night, and as much as we may have wanted him to say
1535 something different, he didn't.
1536 **MEYER:** Well, he did in my opinion. He did say that with growth, the police
1537 forces would also need to grow. And so I feel like, again, I think adjusting
1538 the language, I would be comfortable with, but completely striking it, I
1539 would not be comfortable.
1540 **SCOTT:** I don't remember his conversation about growth being related
1541 specifically to late night/early morning hours...
1542 **BRUTON:** Or specific to business. It was growth of the community as a whole.
1543 **COOKE:** I do believe he did - one of more developments - we are growing, and
1544 our retail presence is going to be growing, and so hoping to address this now
1545 is a better shot for us all...
1546 **SCHOENING:** I absolutely agree. I did hear him say that. But my point, again,
1547 is I didn't hear him say it in relation to early morning/late night hours.
1548 That's the weak part I don't understand. I agree with you, Beth. He did talk
1549 about being proactive, he did talk about growth, and regardless of who,
1550 where, and how late they're open is what I heard.
1551 **O'KEEFE:** I think that's what I heard is that if the stores are closed, you
1552 can't count that. Yeah.
1553 **SCOTT:** For the sake of moving this on, I don't know if this is a motionable
1554 thing, but I would move that we end that with the word "hours." Period.
1555 **MEYER:** We don't need a motion. We're just having a conversation.
1556 **COOKE:** I'm comfortable with that.
1557 **MEYER:** So Doug, can you repeat what you just said?
1558 **SCOTT:** So I suggest that we put a period at the word "hours," after "late
1559 night/early morning hours" and just end the sentence there.
1560 **MEYER:** Heather? Okay. All right. Anyone else have any other notes or
1561 thoughts on page 1?
1562 **SCHOENING:** We struck "limited resources" above in (a), but we did not strike
1563 it in (b), and it (indecipherable) also "in which there are limited police
1564 resources available." It sounds like the same amount of resources available
1565 at night as there are during the day.
1566 **SCOTT:** Agree to strike.
1567 **BRUTON:** I agree.
1568 **MEYER:** Does everyone agree with that change?
1569 **COOKE:** Yes.
1570 **O'KEEFE:** Yes.
1571 **MEYER:** Okay. Heather, you got that one?
1572 **MARTIN:** Mmhm.
1573 **MEYER:** Okay. Shall we move on to page 2? Are we good with that?
1574 **COOKE:** Rereading that sentence now that we reworded it, it doesn't entirely
1575 make sense - for "the health, safety, and welfare of employees of retail
1576 sales and personal services business during times in which there are police
1577 resources available."

1578 SCOTT: Right.

1579 PESSEMIER: I would say from Jeff's comments that there are limited resources

1580 available at night. They usually only have two officers on. And so I think

1581 that's a different statement than the other one from my perspective, what

1582 I've heard him say tonight, but more importantly, what I've heard him say

1583 over the last two years.

1584 COOKE: I would agree.

1585 PESSEMIER: So I think in that situation it might better to leave the wording

1586 because it doesn't make sense. The sentence doesn't make sense

1587 (indecipherable).

1588 COOKE: I would agree. And it sounds from his schedule -that that would be an

1589 ongoing - even if he paid - the concentration of the officers is going to be

1590 greater during the day and the early evening.

1591 PESSEMIER: And what he didn't talk about is situations that come up where we

1592 have an officer who has someone that they need to take to an intoxication

1593 facility that's all the way across Portland or something. Then we're relying

1594 on officers from other cities to cover and other things. So it does get

1595 limited at night, and there can be issues where I think that's appropriate.

1596 SCHOENING: May I ask that we say, "Where there may be limited resources

1597 available."

1598 O'KEEFE: That's what I was thinking.

1599 SCHOENING: Is that fair?

1600 PESSEMIER: Yeah. That's fair.

1601 SCHOENING: So - I'm sorry guys.

1602 O'KEEFE: "To which there may be limited..."

1603 SCHOENING: Police resources available. On (b), I feel like this is also a

1604 pretty strong statement: "other unlawful acts that occur when retail sales

1605 and personal service businesses are permitted to remain open during the late

1606 night/early morning hours." I don't think we've established that. I don't

1607 even think the chief established that. So I'm wondering if, again, that may

1608 occur. I'm willing to give a little on this, but I feel like it's a really

1609 strong statement about things that he didn't actually say happen. So can we

1610 say "may occur" when they're open?

1611 COOKE: "That may occur." Okay. Agree.

1612 SCOTT: I like "may occur," and I also like ending the sentence after "late

1613 night/early morning hours." I think the last bit is just extraneous.

1614 BRUTON: Yeah.

1615 PESSEMIER: Yeah. I believe that came from the Camden - or the code that we

1616 took this from originally.

1617 O'KEEFE: Yeah. I would agree with adding the word "may" before "occur" and

1618 putting the period after "early morning hours."

1619 COOKE: I would as well.

1620 MEYER: Great. Okay.

1621 O'KEEFE: Just a clarification, and it was brought to my attention -

1622 "personal service businesses" where they talk about health and nutrition, and

1623 I hope I'm not jumping too far ahead, but it says it right there. Let me give

1624 an example: Nutrition and - I can't remember if they used the word

1625 "fitness." I don't think they did. YMCA, Snap Fitness - Snap Fitness is open

1626 24 hours, but it is not open to the public. So under this, that would not

1627 affect Snap Fitness, correct? Because that membership is done with a key

1628 card. It's not open to the public.

1629 SCOTT: I don't know. That's pretty gray.

1630 MEYER: Heather, how would you see these locations from a legal perspective.

1631 MARTIN: Whether it would affect the YMCA specifically?

1632 O'KEEFE: Did I mention the office is open 24 hours, YMCA.

1633 SCOTT: 24-Hour Fitness Center.

1634 BRUTON: For a private membership fee.

1635 PESSEMIER: Are those retail services, though?

1636 O'KEEFE: I wouldn't think so.

1637 PESSEMIER: They added the word "retail" in there.

1638 MARTIN: Goods or apparel. I think you need to be looking at that as a whole,
1639 (indecipherable).
1640 O'KEEFE: I just wanted to get clarification on these that that would not
1641 apply to them, correct?
1642 BRUTON: Would that fall into the exemption with direct medical care. I mean
1643 it's health and wellness related. It could be broader.
1644 MEYER: Well, a gym in this instance as personal services, we've got language
1645 that says, "including but not limited to." Do we feel like the language in
1646 this case is - right here?
1647 SCOTT: I mean, that could be the Nutrition Weight Loss Center. That's
1648 probably the closest thing they've got listed there.
1649 O'KEEFE: Nutrition. That was the word that they used. Nutrition Weight Loss.
1650 So, does fitness go into that?
1651 SCOTT: Yeah, I don't know.
1652 O'KEEFE: It's a part, but it's been technical, and I just thought I'd just
1653 bring this up because (indecipherable).
1654 SCOTT: Well, yeah (indecipherable). I have a lot of issues on this page. I
1655 think we got a lot of work to do on this page, personally.
1656 O'KEEFE: Well, maybe we'll just kind of address it as we get closer.
1657 MEYER: Okay. We're on page 2. Let's get...
1658 SCOTT: So I actually was going to say movie theaters. I thought our
1659 discussion previously was not including them in the ban.
1660 COOKE: I thought that as well.
1661 SCOTT: I would think movies - of they start at 10:00/10:15, and you got a
1662 2½/3-hour movie, people are getting out past 1:00 fairly regularly. I think a
1663 variance situation would be ridiculous there. There's a long history of
1664 movies that hasn't provided any kind of public safety issues.
1665 BRUTON: Well, midnight showings are actually pretty common in most places.
1666 Yeah.
1667 O'KEEFE: Midnight shows are a common occurrence nowadays with newer movies
1668 coming out.
1669 SCOTT: Yeah. He'll have those once a month at least.
1670 O'KEEFE: Yeah, especially during the summer.
1671 SCHOENING: So if I'm not mistaken, Chad specifically included that I his
1672 email when he addressed it to us and said he was unsure if we considered
1673 movie theaters, and I can't remember - I just looked back at my notes, and I
1674 just have a question mark near movie theaters. So I can't remember either,
1675 but it is addressed on the third page for temporary late-night business
1676 permits. So I feel like, Doug, your argument about there not being a reason
1677 to be concerned about late-night movies - there's not a reason to be
1678 concerned about a lot of things, but it's late night we're discussing setting
1679 a precedence for.
1680 SCOTT: Yeah. What I guess I was saying was that we have a movie theater in
1681 town, we have a lot of movie theaters nearby. They have a long history of
1682 running late into the evening, and we don't have - to my knowledge, I haven't
1683 seen anything that would indicate there's an increased safety or crime risk,
1684 and so I would personally be in favor of not including movie theaters in the
1685 regulation.
1686 BRUTON: And I'd like to add, in our previous conversations with this, I
1687 brought up the ice skating rink. I'm a former employee, I was on their
1688 opening staff, and they do late-night broomball and hockey events at the
1689 Sherwood Ice Arena. There are some recreation-based facilities that do
1690 (indecipherable).
1691 SCOTT: I'm sorry, Nancy.
1692 BRUTON: It's okay. I'm definitely quiet. That doesn't usually happen.
1693 SCOTT: I was just wondering if maybe there's a carve out for entertainment.
1694 I don't know because a movie theater, ice skating - it seems like - I don't
1695 know.
1696 MEYER: One of the things that we discussed under temporary late-night
1697 business permits were these very concepts. And if I recall correctly, one of
1698 the issues surrounding this conversation was public safety and the notion of

1699 potentially requesting that businesses outline public safety plans and work
1700 with local authorities should there be anticipated large crowds and
1701 congregating groups of people. Am I mistaken? I remember having the
1702 conversation.

1703 **O'KEEFE:** I remember that conversation, and I think you're correct. I think
1704 there is - I can't put my finger on it right now, but I'll bet there is some
1705 term in there about a public safety plan.

1706 **SCOTT:** Yeah. And I thought that was more about like the midnight opening - I
1707 mean the holiday midnight madness kind of opening thing.

1708 **COOKE:** That's what I thought as well is it's more suited to a retailer
1709 establishment having...

1710 **PESSEMIER:** We discussed that, but the entire section and variances for
1711 Purpose hadn't been in place yet. So that was a conversation you may have
1712 wanted to include in section (F) which I didn't see was added in there as far
1713 as...

1714 **SCOTT:** So I have a crazy idea.

1715 **MEYER:** It is actually - (3).

1716 **O'KEEFE:** (3)(a)?

1717 **MEYER:** Yeah.

1718 **SCOTT:** So I have a crazy idea. So what if we just - in part (C) here, we
1719 just remove the "personal services businesses" and we're only talking retail
1720 sales? And I think the other types of businesses that are included in
1721 personal services - the likelihood that any of those places are going to
1722 choose to be open between these hours is almost nonexistent. So we may be
1723 trying to address a problem that doesn't really exist. So maybe that's a way
1724 around - making a long conversation much shorter and trying to narrow down
1725 the personal services category to cover health clubs and movie theaters and
1726 all the stuff. Then we just throw that out, and we focus on the retail sales.

1727 **MEYER:** You know, Doug, I think that the term "personal services" can meet a
1728 lot of things to a lot of different people, and we did have that discussion.
1729 So I think that I'm not sure that I'd be comfortable completely removing it.

1730 **COOKE:** I think initially for our discussion of personal services was
1731 potentially boutiques and those (indecipherable) 82nd Avenue.

1732 **O'KEEFE:** Haircuts, tanning salons?

1733 **COOKE:** No. I don't think we're looking at haircuts and tanning salons.

1734 **SCHOENING:** I also feel like we're getting really, really close to making
1735 moral and ethical decisions about businesses coming into the City of
1736 Sherwood, and I'm not comfortable with that at all. So if personal services
1737 seems to include a skating rink, a movie theater, and the YMCA, I think we
1738 should really talk about what a personal service is and what we currently
1739 have and what we think may be coming. But I feel like I'm not ready to have a
1740 discussion about trying to limit the kind of business that sets up in
1741 Sherwood based on what we don't "want to happen" which isn't our decision.

1742 **BRUTON:** And to be fair, us having this conversation is already limiting
1743 businesses that are considering coming to Sherwood. One of my biggest
1744 concerns right now, because we are being so selective of what we think is
1745 going to be open at night, is that I had a business that said, "You're making
1746 an exemption for taverns and places that serve that alcohol" which to me
1747 seems like it, from what the chief was saying, that alcohol-related
1748 behavioral incidents are high-crime incidents late at night. And we are
1749 jeopardizing convenience space sales in a competitive market because of that.
1750 And so I think that we're going down, I guess, a very icy road right now, and
1751 it's making me nervous because I think that in any retrospect, there could be
1752 a need for some type of services that we're not thinking of. A good example
1753 is we're talking today about construction projects. As the economy grows, you
1754 may need more construction related access late at night for doing late-night
1755 projects from retailers that may sell hammers or nails or wood and things
1756 like that. And so, again, and I know I said it before, I feel like the
1757 marketplace should drive decisions when it comes to which businesses should
1758 be open and when they should be open.

1759 **COOKE:** I still think that gets to the fact that your concern there is the
1760 businesses, which I admire given your position, but at the same time, we also
1761 have to consider livability for the residents and the potential impact of
1762 having 24-hour, particularly retail - I'm less concerned about the personal
1763 services, but particularly large retail centers, and we may be looking at one
1764 right now, but it could be another or another or another as the years go by.
1765 And I think that we really have to take careful consideration of the
1766 livability for the residents. Again, I absolutely admire the business
1767 community and all that they provide, but we also have to consider our
1768 resident.

1769 **BRUTON:** I agree with that, and I consider both in terms of how I look at
1770 these potential regulations. And I have been looking through the City of
1771 Sherwood's mission tonight because it is residents and businesses that we
1772 need to be mindful of when making these decisions.

1773 **MEYER:** Tom, do you have any thoughts to weigh in on this notion of personal
1774 services?

1775 **PESSEMIER:** It seems to be a separation level, and I think you guys are on to
1776 a lot of things here. I really don't. I think that's really for you guys to
1777 figure out what it is, but I think primarily what I've heard is the retail
1778 sales as a general concern and not so much the personal services. But that's
1779 just kind of my take.

1780 **SCOTT:** And to a concern I think I heard earlier about - from Beth maybe, we
1781 do have some regulation against adult oriented businesses coming to town
1782 already, do we not?

1783 **PESSEMIER:** I'm not sure. I believe that we do within certain distances from
1784 schools and other...

1785 **SCOTT:** It's not a general...

1786 **PESSEMIER:** No. Those businesses are part of the first amendment, free
1787 speech, and regulating them is a challenge. So I think we've probably done
1788 what we can, but I don't think we can go any further.

1789 **MARTIN:** Can I just say one thing?

1790 **MEYER:** Yes, please.

1791 **MARTIN:** So as you're looking at what exactly you want to regulate, just make
1792 sure that, as you said, you want to take out one piece or this piece or that
1793 piece and just go back to your purpose. Keep going back to the purpose and
1794 making sure that it does still apply to what you're regulating. Keeping that
1795 in mind and you're...

1796 **FEMALE:** Crime. Yeah.

1797 **SCHOENING:** So with that being said, I guess I would just ask - I totally
1798 understand what Beth is saying, and I absolutely appreciate that. I just feel
1799 like a 24-hour Laundromat could be not included in this. I really feel like
1800 if we can all discuss removing "personal services from this" because the
1801 emails we got - we got a lot of emails forwarded from Sylvia today. All of
1802 them talked about large retail. Nothing said, "I don't want a 24-hour
1803 Laundromat." Nothing said that. Everything talked about large retail. And so
1804 I feel like we're making decisions about not including businesses and
1805 dictating operating hours for really a wide amount of business.

1806 **O'KEEFE:** I would agree with that, and I would probably add that I would
1807 second the motion, if it was made, to remove public service with the
1808 condition that we can revisit it at any time after public comment if it so
1809 dictates.

1810 **COOKE:** And I also agree - the things that I've heard from citizens over the
1811 last two months has been regarding retail sales.

1812 **O'KEEFE:** Retail sales and hours.

1813 **COOKE:** Retail sales and hours.

1814 **O'KEEFE:** I don't think I saw one email today that talked about personal
1815 services. So unless somebody steps forward and sends an email after watching
1816 this on YouTube...

1817 **SCOTT:** They don't have time. I don't think it will be up by...

1818 **MEYER:** So it sounds like we're moving toward removing "personal services."
1819 Is that what I'm hearing correctly? I just want to make sure.

1820 O'KEEFE: Yes.
 1821 SCOTT: Yes.
 1822 MEYER: Yes. Okay. So...
 1823 COOKE: Did we also make a decision regarding movies?
 1824 SCOTT: Well, when we remove personal services then movies is out.
 1825 COOKE: Rather than retail, that counts as personal services?
 1826 MARTIN: It would count at personal services.
 1827 MEYER: Okay. So for the sake of moving forward with a third draft for
 1828 review, it sounds like we do have consensus to remove "personal services"
 1829 from both the Purpose and Findings as well as subsequent Definition.
 1830 SCOTT: I'd like to - so I agree with that. I think we have all established
 1831 that. Yes? Okay. So I want to talk about pharmacy a little bit. I'm really
 1832 not comfortable with the way that we have this written. Primarily because
 1833 every pharmacy that I've ever heard of sells some amount of general
 1834 merchandise. And so the way this is defined in (B)(3), they would basically
 1835 not be allowed to be open unless only a drive through I supposed, but that
 1836 doesn't seem very...
 1837 PESSEMIER: That's correct. That's what we heard from the committee last
 1838 time.
 1839 SCOTT: Well, that's not what we heard.
 1840 PESSEMIER: The last time I heard...
 1841 SCOTT: We wanted to allow pharmacies to be open.
 1842 PESSEMIER: It was clear to me and to Chad both that it was only pharmacy and
 1843 over-the-counter drugs. There was not to be any other sales within the store.
 1844 SCOTT: Right but then by practical nature, you're closing the pharmacy
 1845 because no pharmacy can be open and have people come up to the counter with
 1846 other general merchandise items and say, "We can't sell that to you right
 1847 now."
 1848 COOKE: I think that would be like for drive-through pharmacies.
 1849 SCOTT: But there's a lot of pharmacies that don't have drive throughs.
 1850 FEMALE: True.
 1851 SCOTT: I was thinking, what if we move the definition of the pharmacy up
 1852 into section (B), and define it similar to what we did with the gas station
 1853 with the attached merchandise where we say a pharmacy - a certain percentage
 1854 of your business has to be over-the-counter and prescription sales. Then you
 1855 fit in the definition of a pharmacy versus a big box that has a pharmacy as a
 1856 side business wouldn't qualify under that. Does that make sense?
 1857 O'KEEFE: I would agree with that, making it similar to the restaurant. Talk
 1858 about the qualification, that 80%.
 1859 SCOTT: Exactly.
 1860 O'KEEFE: I would agree with that.
 1861 COOKE: I think Walgreens may have a drive through.
 1862 O'KEEFE: They do. It's not open 24 hours, but if they could decide to...
 1863 COOKE: If they decided to open 24 hours, they wouldn't meet that threshold
 1864 potentially for the percentage of their sales.
 1865 MEYER: For the entire store? Is that what you're saying?
 1866 COOKE: Right. Whereas if we kept it the way it is that they would - if they
 1867 opened the drive through just for - if they did that 24 hours, then it would
 1868 not - that they may not sell other items during that time period.
 1869 SCHOENING: I'm afraid to post this at such a late date, but I think - if I'm
 1870 not mistaken, we looked at the Beaverton rules for hours of operation, and
 1871 their Walgreens is open 24 hours, their drive through. Is there any way that
 1872 you have time, or one of them could maybe look and see how they define that
 1873 as being something that can be open 24 hours? I feel like that - it's already
 1874 been...
 1875 PESSEMIER: Well, Beaverton allows conditional use permits and temporary use
 1876 permits for certain businesses, so it's possible that they have a conditional
 1877 use permit that allows that activity would be my guess.
 1878 SCHOENING: So is there a way that we could address that here? Because I get
 1879 what everyone's saying. We're talking about the limiting of sales, and maybe

1880 Walgreens wouldn't fall under it, and then now we've just had really serious
1881 unintended consequences.

1882 **SCOTT:** So can I ask a question of the committee because I'm maybe a little
1883 unclear on what our intention is. Is our intention to only allow drive-
1884 through pharmacy between those hours that we're going to decide or to allow
1885 any pharmacy that's clearly mainly a pharmacy?

1886 **SCHOENING:** Speaking as the one committee member maybe possibly who doesn't
1887 drive, I propose that we don't only allow a drive through.

1888 **SCOTT:** And that's my thought, too, which is why I'm (indecipherable) the
1889 language the way it's written. It would basically not allow a non drive-
1890 through pharmacy to operate practically, right? Because they couldn't have
1891 their register open and say, "Oh, sorry. I can't sell you half of those items
1892 you brought up." That's just silly.

1893 **MEYER:** So would you feel more comfortable with a pharmacy primarily - how
1894 about something along the lines of the retail sale of pharmaceuticals in a
1895 stand-alone building. I don't - this is tough.

1896 **COOKE:** I think there aren't very many old style, stand alone - I think
1897 there's one in Forest Grove that I can think of (indecipherable) that are -
1898 none of those are 24 hours, and they would have more limited hours because
1899 they would need a pharmacist on staff...

1900 **MEYER:** At all times.

1901 **SCOTT:** Like Walgreens could be open without pharmacists on staff. They can
1902 close the pharmacy section.

1903 **COOKE:** Right, but what if they intended to facilitate the pharmacy remaining
1904 open.

1905 **SCOTT:** Well - or it could be open for - I mean there's a lot of
1906 nonprescription items that people might want buy in the middle of the night
1907 that they might want to be open for.

1908 **MEYER:** Yeah. I think that is working against what we've already looked at.

1909 **BRUTON:** Well, and when we had talked about this, we had - we talked about if
1910 you need diapers late at night, you're not going to find them at your 7-11.
1911 That was the conversation with the pharmacies.

1912 **COOKE:** I know I have bought diapers at 7-11.

1913 **BRUTON:** Not to this specific circumstance but to the scope of needs that a
1914 pharmacy has in their additional retail they can offer.

1915 **SCHOENING:** Well, I might suggest that I really don't want to go down the
1916 area of people can and shouldn't be able to buy at what time. What we're
1917 talking is health and well being. I see the light, if I may try to just focus
1918 us a little bit more because I don't want to get into, again, defining when
1919 someone should buy something or where they can get it. So with that being
1920 said, if we're talking about health and wellbeing, and we're talking about
1921 pharmacies - so it sounds like what we're asking Heather to do is help us
1922 define what a pharmacy is. Am I right? If there's some way that you can
1923 define clearly what a pharmacy is just like we have what a restaurant is...

1924 **O'KEEFE:** Maybe it has the name Pharmacy in its name.

1925 **SCHOENING:** Walgreens in a drug store.

1926 **O'KEEFE:** Oh. Yeah. That's correct.

1927 **MEYER:** I feel like the definition that's been provided here is pretty clear.
1928 I'm not sure - "the sale of prescription or nonprescription over-the-counter
1929 medications in drug stores and pharmacies, provided that the sale of other
1930 merchandise by a drugstore or pharmacy to the general public for personal or
1931 household use or consumption prohibited by - subsection (C) is not permitted
1932 by this section.

1933 **SCOTT:** Right. And the problem with that language is that that it effectively
1934 closes any walk-in pharmacy because every one of those is going sell amount
1935 of that general merchandise. And it's not practical for them to run the
1936 register and only allow certain items to be scanned through between 1:00-5:00
1937 a.m.

1938 **MEYER:** Well, I think we're speculating there.

1939 **SCOTT:** I don't think that's much of a (indecipherable). People are able to
1940 walk around their store and put items in their basket, but they can only sell

1941 prescription and nonprescription items. So you're going to come up to the
 1942 counter with a basket...

1943 **SCHOENING:** Yeah, and so someone is going to buy a pack of gum - you couldn't
 1944 throw a pack of gum on the counter under what this says right now. You can
 1945 fill your prescription, you could buy antihistamines, but you couldn't buy a
 1946 pack of gum.

1947 **O'KEEFE:** Or ice cream.

1948 **COOKE:** A pack of gum or ice cream aren't a health and welfare issue.

1949 **SCOTT:** You're in the store, you're buying the medicine, and then you pick a
 1950 couple other items off the shelf because you're there, and the pharmacy has
 1951 to tell you, "I'm sorry. I can't sell you the pack of gum." Obviously, what
 1952 they're going to do is if this is the rule, they're just not going to open
 1953 because they're not going to want to have the burden of trying to decide what
 1954 I can sell you and what I can't sell you that you bring to my register
 1955 between these hours. That's too big of a burden that they're not going to
 1956 want to deal with that.

1957 **COOKE:** I guess I've seen several Walgreens in particular that have had 24-
 1958 hour drive through pharmacies available, and I don't see that that has been a
 1959 negative impact on the community whereas having stores open on a 24-hour
 1960 basis could potentially impact traffic and some of the other issues that
 1961 would impact residents.

1962 **SCOTT:** Okay. Well to move this along, and maybe we're just not going to
 1963 agree, I'd like to ask Heather to draft - you know what some of us are trying
 1964 to get at?

1965 **MARTIN:** Well basically, you did have the (indecipherable), basically like
 1966 Walgreens could stay open, but they couldn't sell you the gum. That's
 1967 basically what it says right now. I guess just to get a sense from the
 1968 committee, what exactly - you don't want to be regulating what people can and
 1969 can't buy when this business is open. But you do want to allow a pharmacy to
 1970 be open. So I feel like you're either going - you allow Walgreens, and
 1971 they're going to be able to sell other things to people...

1972 **SCOTT:** I think that's what some of us are saying.

1973 **MARTIN:** ...or you're just going to say you allow drive through or stand-alone
 1974 pharmacies, you allow them to be open. So I guess I just want to get a sense
 1975 from the committee what...

1976 **SCOTT:** I think what some of us are saying is that second thing you just
 1977 described. That we want to allow a place like Walgreens or another pharmacy
 1978 that maybe doesn't have a drive through to be open throughout the exemption
 1979 period and be able to sell whatever is in their store, but we need to define
 1980 it in such a way it's similar to restaurants in that it doesn't allow for a
 1981 huge megastore to be open just because they have a small pharmacy.

1982 **PESSEMIER:** Well, I guess I'll go back to what Chad has said in the past is
 1983 that you need to make a connection then as to why one is okay and one is not
 1984 based on the purpose that you guys set out. And I think that would be a
 1985 challenge.

1986 **SCHOENING:** I'm sorry that I used my cell phone. That was rude, but I just
 1987 googled the financial statement for Walgreens, and it says that 61.5% of
 1988 their sales come from prescriptions. So maybe we could go somewhere towards
 1989 the language of a percentage of a sales like (indecipherable)...

1990 **O'KEEFE:** Kind of like the gas filling and the restaurant.

1991 **SCHOENING:** ...it could be over 45-50% and maybe we can take a minute to look
 1992 at what that actually means. But I think it might be that simple. I think
 1993 that an over 100,000 square foot store is not making its money from
 1994 prescription sales, and I think that what we're intending here is to allow
 1995 places that do cater to that.

1996 **O'KEEFE:** May I suggest a definition - and I'm speaking off the top of my
 1997 head which is very dangerous - but a definition that would say, and fill in
 1998 the numbers you want, 50% of - or a pharmacy, 50% of their sales would come
 1999 from over-the-counter and prescription medications. Could we draft something
 2000 like that and then the remainder of the sales are convenience items? Can we
 2001 agree that Walgreens...

2002 **MEYER:** So you're suggesting a threshold in terms of a percentage of
 2003 pharmaceutical sales?
 2004 **O'KEEFE:** Similar to what we have in the gas station and similar to what we
 2005 have in the restaurant.
 2006 **SCOTT:** So we're defining the pharmacy as a place where 40-50% of their sales
 2007 are prescription and nonprescription medication or something along those
 2008 lines.
 2009 **MARTIN:** And if you did that though, you're still looking at - it's still
 2010 open though. So the Walgreens is still running (indecipherable). Just so
 2011 everyone is clear that that's going to be the outcome there. They're going to
 2012 be able to buy gum there.
 2013 **O'KEEFE:** And ice cream.
 2014 **COOKE:** Without going to a gas station/convenience mart. Correct?
 2015 **MARTIN:** And your rationale there is just overall public health, safety, and
 2016 being able to get medicine when they need to get it.
 2017 **O'KEEFE:** And medical supplies for that matter. Band-Aids or whatever.
 2018 **MARTIN:** Maybe I'll come back with a couple of options. I'll do some research
 2019 to see if there are some other more creative ways that we can define a
 2020 pharmacy.
 2021 **MEYER:** Yeah. I feel like we're - this is tough. We can see how in each
 2022 deliberation, identifying and honing in on specific language is difficult.
 2023 And perhaps before we continue that particular point, we need to refer back
 2024 to section (C) where we're removing now the words "and personal services." So
 2025 all retail sale businesses located within the city may not be open to the
 2026 public for business between an established set of hours. Today, we received a
 2027 number of emails from residents in Sherwood via Sylvia who identified pretty
 2028 clearly to me that there is a big concern permitting 24 hour businesses
 2029 within Sherwood. I quickly reviewed the emails and marked up a tally sheet
 2030 and noted 17 residents who indicated that they were not comfortable with
 2031 businesses being open 24 hours. We'd agreed on some level that there is
 2032 concern with businesses being open 24 hours, though we have had difficulty
 2033 arriving at a proposed range for us for hours to include in an ordinance.
 2034 There was a little bit of discussion here that we included the hours 5:00 or
 2035 6:00 a.m. Based on the email, there seems to be more of the - residents seem
 2036 to be leaning toward a 6:00 a.m. opening versus a 5:00 a.m. opening. And
 2037 that's, again, based on emails that were received today. So what do we think
 2038 about that?
 2039 **SCOTT:** So we're done with the pharmacy conversation?
 2040 **MEYER:** No. I don't think that we are, but I think that the hours discussion
 2041 directly relates to the pharmacy discussion because if the community's
 2042 interest is not leaning toward 24 hour open businesses, then that directly
 2043 impacts any language related to providing retail sales even including
 2044 pharmacies within other retail businesses.
 2045 **SCOTT:** So I'll say - obviously, ultimately the public is going to get a vote
 2046 whether they believe we should be allowed 24 hour retail sales or limit them
 2047 based on the hours we set here. I read those 18. They were directed to this
 2048 committee from, in particular, a Facebook page that has 283 followers. So I
 2049 don't know that that's - I wouldn't overly weigh those 18 versus the other
 2050 testimony we've already heard and the other people out in the community. I'm
 2051 still - if I'm voting, I'm still voting 1:00 a.m. and 5:00 a.m.
 2052 **COOKE:** And I would still pick the 1:00-6:00.
 2053 **MEYER:** Yeah, and I think it's tough to look at the emails and identify - I
 2054 don't know the people that have emailed us. I didn't recognize - I recognized
 2055 a couple of the names from the social (indecipherable), but I don't know any
 2056 of those people. So these meetings have been televised, they've been opened
 2057 to the public, they've been noticed publicly, so I feel like the residents in
 2058 Sherwood are certainly keeping a close eye on the conversations that we are
 2059 having here and have certainly had the opportunity to voice opinions through
 2060 public comment and via email. We've invited them several times to do that. So
 2061 I think it is important that we take into account the information that we do
 2062 have before us, and for whatever that's worth - again, based on just the hash

marks that I have in review of the emails received, out of about 19 emails received today, 18 of those were anti-retail businesses being open 24 hours. Of those, three people were okay with 5:00 a.m. opening, and out of those people that emailed, nine of them were in favor of a 6:00 a.m. opening. I think that it's important for us to again look at what we've heard from the public and the comments that we've received.

COOKE: I'd like to say I really respect the folks who took the time to email today because we have heard from other perspectives. And I think it's hard to get to these meetings sometimes, and it's really important to have their feedback, and I really appreciated those comments they made.

BRUTON: I really appreciated the feedback too. When it comes to research methodologies, I would prefer to have a broader scope of the audience in the community to be looking at those potential hours. I'm still not in favor of regulating hours of operation. I would prefer the language to say 1:00-5:00.

COOKE: I would like to know, are you in favor at all of regulating hours of operation just so we're clear of where your standpoint is.

BRUTON: No. And I believe I've said that before.

COOKE: And I wanted to ask you rather it's not about the hours, it's about the concept.

BRUTON: It's about the concept. Yes.

COOKE: Okay.

O'KEEFE: Well, I thought we were pretty close on a closing time until I went through all of these emails. And I think last week we were kind of right around 1:00, and we were thinking maybe 5:00 or 6:00 for an opening time. And looking at these emails, they're quite a bit different than our closing time. I think there's a fairly good amount - and like I say, I would agree that Sherwood has 18,000 people, and we've got a listing here of 283 followers - I'm sorry.

SCHOENING: I'm sorry. Meerta was just questioning the followers, so I wanted to - I'm sorry, Larry. I didn't mean to interrupt, but some of the emails were cut and paste of question and answer, and that was directly from a Facebook post asking for emails. That's what they're referring to. And I know that although we do have some that didn't have the cut and paste of the specific yes/no question.

O'KEEFE: I will say that I forwarded that Facebook post onto my Facebook friends and shared it so that my neighbors, and there's a pretty large contingent of the company that I work for that has people working in Sherwood, and I know quite a bit of people, so the more people that would share that, the broader the opinions you get. What I was getting at is that some of those times - I mean, maybe we need to - I'm kind of set between my 1:00 a.m. and 5:00 a.m. I think that's plenty, but looking at these emails, there's obviously some as early as a closing time of 10:00 p.m. and one resident cut and pasted the hours of Target and said, "That's plenty," 8:00 a.m. to 9:00 p.m. or something like that, it might have been 10:00 p.m. But they were pretty restricted hours. I'm thinking that's like an hour or two after I leave for work.

COOKE: And I think - because you guys had mentioned previously when we had talked at length regarding odd shifts, though I did still think that 1:00 - 6:00 was, at that time, was - I did my own at home and came up with the 1:00 - 6:00 was still something that I feel very comfortable with and I felt could be supported. Again, this is going to be something that if city council forwards it, it's going to go to a vote, so it needs to be something that the residents will support.

MEYER: Yeah, and Larry, just like you, looking at these tally marks, it seems based on just the comments that we received today that the residents of Sherwood indicated a midnight close would be far more palatable than even a 1:00 a.m. close. So the 11:00 a.m. - excuse me, the midnight, one, the email, I guess, comments today in terms of my tally marks. So, again, this is...

O'KEEFE: Do you think it would be possible to get a wider range of the resident's of Sherwood's opinions on an opening and closing time where we can come down to like - come look at what we were talking about last week, either

2124 midnight to 6:00 or 1:00 to 5:00. Get it down to two things and then come up
 2125 with some sort of choice that we can bring to the council for recommendation.
 2126 **SCOTT:** I think it would be hard given the time we have remaining to get any
 2127 kind of representative sample. We could get some people who are already
 2128 activated and motivated, but getting a representative sample of the whole
 2129 town would be much more challenging.
 2130 **COOKE:** We would have commission a poll and that would take some time and
 2131 money.
 2132 **O'KEEFE:** I remember I had an Outlook program like everybody else does,
 2133 right? Don't you have like a little email that - and I don't want to put this
 2134 on you, Sylvia, but when people email you, don't we have the technology, for
 2135 a lack of a better word, to say, "Vote yes. Vote No," on your email.
 2136 **SCOTT:** How do we build the email?
 2137 **SCHOENING:** I'm sorry to be the Devil's advocate, but I'm just going to say we
 2138 need to make the decision.
 2139 **O'KEEFE:** Okay.
 2140 **SCHOENING:** I feel like the city already - I feel like city council has passed
 2141 it on to us and while we might not...
 2142 **O'KEEFE:** Okay.
 2143 **SCHOENING:** This is my opinion. And while we might not feel super comfortable
 2144 making that decision, we've been asked to. And I will state for the record,
 2145 again, I'm not a resident of Sherwood. I don't think that was a secret. But
 2146 secondly, as a business owner, I don't believe in regulating business hours.
 2147 That's how I feel. I don't want someone to tell me when I can open and close
 2148 my business. But I will also say that as a resident of neighborhood and part
 2149 of a community, I completely understand. So this is very difficult for me.
 2150 It's very difficult because obviously I care about this community greatly,
 2151 and I live in a community where business hours are limited. And so that being
 2152 said, I would like to ask that we consider 1:00-5:00 a.m., and I will tell
 2153 you why I am staying with 5:00 a.m. The YMCA here in Sherwood opens at 5:00
 2154 a.m. And I get that we're talking about retail, and I get all of those other
 2155 things, but I feel like the Y is a pretty - in my own personal opinion, a
 2156 pretty good picture of what's kind of happening and where people are going
 2157 and movement, and all those things. And I feel like it's already a steady
 2158 place, and this opens at 5:00. And I saw that people cut and pasted retail
 2159 hours of currently operating businesses, and I saw that was really important.
 2160 We should take that into consideration, but as the chief said, we are
 2161 discussing growth, and we're talking about bring new people in and making
 2162 sure that we have things to offer and that we're attractive but also safe.
 2163 And so I stick with the 1:00-5:00 a.m. based on that.
 2164 **O'KEEFE:** I absolutely agree with you, and I would add in Starbucks, Dutch
 2165 Brothers...
 2166 **SCOTT:** They're exempt in there.
 2167 **O'KEEFE:** Oh, sorry. It's kind of the wake-up companies of this town. And
 2168 most everybody - and so I would agree. I would go - I might be willing to go
 2169 to midnight to 5:00, but my first choice would be 1:00-5:00.
 2170 **COOKE:** And Rachel - I'm going to ask some more questions here, with that
 2171 change, you would support this as an ordinance?
 2172 **SCHOENING:** I'm not going to support it as an ordinance either way. I
 2173 understand the 1:00-5:00. It's a struggle for me. Again, it's really a
 2174 struggle, but I will not support an ordinance that tells businesses when they
 2175 can't operate, and it's solely because I own a business. If I didn't, I might
 2176 be thinking differently, but maybe. But frankly, I don't want someone to tell
 2177 me when I can open and when I can close even though I'm a restaurant and I'm
 2178 not included in this ordinance. I want to make that very clear. This doesn't
 2179 affect by business. So, it's just - I see a lot reasons why at some point the
 2180 city may want somebody to be open longer. And that means that - I also
 2181 noticed that in some of these emails, people said we don't have 24 business
 2182 in Sherwood. So I just wanted to point out that some people don't even know
 2183 that we have it already. So to me that made me understand that it's not quite
 2184 an impact yet which doesn't mean it shouldn't mean it shouldn't be handled.

2185 So, again, if I lived near a place that was considering open 24 hours, maybe
 2186 this would be different.

2187 **SCOTT:** So I'll just say I don't - I'm on the fence on this one overall to be
 2188 honest with you. I see the reasons that Rachel and Nancy profess, but I also
 2189 see the other impacts for the community that we may want to have. So I don't
 2190 know where I'm going to go on this one to be honest, but I would be a lot
 2191 more likely to support 1:00-5:00 than I would be 1:00-6:00, and so I'm going
 2192 to stick with that.

2193 **MEYER:** So question Tom and Heather, at the time that we make a
 2194 recommendation to city council, all of these ordinances will then be reviewed
 2195 and open to public comment. So the council, upon their review and upon
 2196 receipt of public comment, could still at that point make a modification to
 2197 some of the language that is proposed by this committee.

2198 **PESSEMIER:** And likely will as they find additional information and they have
 2199 a chance to go through it and refine things based on their experiences and
 2200 knowledge as well. They'll have a very short time frame to do that. That's
 2201 why it's been really helpful for you guys to put this language together.
 2202 They'll basically have public hearings scheduled on August 6th and then they
 2203 will probably have to at that meeting tell us what they want changed because
 2204 on August 20th, they'll have to come and adopt it. They might be able to make
 2205 some minor amendments on the 20th. So they'll have one meeting to hear public
 2206 testimony and make changes, and that'll be it. So not a whole lot, but they
 2207 certainly will have another opportunity to people weigh in on the
 2208 conversation. One suggestion on the hours of operation is we can leave the
 2209 text as it is, and someone can make a motion when you guys get together on
 2210 Thursday to figure this out. I think that might be the only way you guys
 2211 actually get there.

2212 **SCOTT:** I feel like we've got four right now in favor of 5:00 a.m.
 2213 Correct me if I'm wrong.

2214 **SCHOENING:** I don't necessarily think that's the point. I think that we
 2215 shouldn't go with the popular answer; I think we should go with the right
 2216 answer. And so after listening to Tom, I'm going to change my position a little
 2217 bit and say I think we go with - Can I not vote? Can I abstain from voting?

2218 **COOKE:** I feel like we should be working towards something that we feel we'll
 2219 want to forward, and so I don't want to have you or Nancy voting on this in
 2220 a way - I think it's important that as we're kind of negotiating back and
 2221 forth that we're trying to put together the best possible product for the
 2222 city and working in that - so if you feel that 1:00-5:00 for you - but I also
 2223 would hope that we would be reaching a point where we're in consensus of a
 2224 product that will help protect the livability of our city with the city
 2225 council's help.

2226 **SCHOENING:** Basically, where I was going with it was I change my position in
 2227 saying maybe we send it to city council saying we couldn't make the decision
 2228 on time. I feel more comfortable with that because I don't think we've made a
 2229 decision on time, and I don't think we will. I feel more comfortable with
 2230 that.

2231 **O'KEEFE:** With respect to you and Nancy, I respect your decisions of not to
 2232 tell any business what hours they may or may not be open, and I think that's
 2233 - I'm kind of like Doug. I'm kind of on the fence a little bit, but I think
 2234 that's why I'm going with 1:00-5:00 because that puts the minimum impact on
 2235 retail businesses. That's where I'm at.

2236 **COOKE:** I feel that if I knew that you would both be in support of this going
 2237 to city council then I would probably be more comfortable moving to 5:00.

2238 **SCOTT:** Let me say this. I don't know how I will ultimately vote when it gets
 2239 to the ballot, but if it's 1:00-5:00, I would put it in the voters hands.

2240 **O'KEEFE:** I agree.

2241 **COOKE:** Then I will support 1:00-5:00 a.m.

2242 **MEYER:** Okay. So for the sake of this section, then I would suggest that we
 2243 do leave this between the hours of 1:00 a.m. and 5:00 a.m. and provide
 2244 council the opportunity to take into account citizen comments and emails and
 2245 additional testimony at the public hearing because eventually...

2246 O'KEEFE: I would second that if that's a motion.
 2247 MEYER: It's not a motion.
 2248 SCOTT: We don't need to state that though because they're going to that
 2249 explicitly.
 2250 O'KEEFE: They're going to do that anyway.
 2251 MEYER: Yeah. Exactly. So for the sake of this document as is, we will leave
 2252 the language between 1:00 a.m. and 5:00 a.m.
 2253 O'KEEFE: Do we need a vote?
 2254 MEYER: No.
 2255 SCHOENING: I have one more thing, and I'm so sorry. I really don't want to
 2256 say this. Anyway, in getting the idea that we want something that the voters
 2257 feel comfortable with, is there any reason why we wouldn't say when a
 2258 business is allowed to operate as opposed when they're not allowed to
 2259 operate. I feel like the gray area here in regards to stocking and all of
 2260 those things hasn't really been addressed. When we talk about when the
 2261 business located within the city - I know it may not be open to the public
 2262 for business - is there some way we can say "may operate within the city
 2263 between the hours of" which would be Friday and I'm wondering - yes. I'm
 2264 sorry, but the way this reads you're restricting business. I know you're
 2265 doing it anyway, but if I were a voter in the City of Sherwood, I would not
 2266 vote yes on any bill that says when a business can't be open.
 2267 O'KEEFE: You're making it more positive.
 2268 SCHOENING: That's how I feel. And when I read emails from the community, and
 2269 I saw the ones that suggested - a lot of them said a business should be open
 2270 from this time to this time unless they were talking about when they should
 2271 be closed. I know it's small, it's just - I'm a language person.
 2272 BRUTON: Well, and Heather is that a legal issue? Because I know that Chad
 2273 said that you had to use the word "prohibit" during the language in terms of
 2274 the hours of operation. At least he alluded to that I should say.
 2275 MARTIN: I would need to look into it a little bit more just to make sure
 2276 that if we did reverse the language - so it would basically be open from 5:00
 2277 a.m. until 1:00 a.m. So I can look at that and see if there might be any
 2278 problems. And it might just end up being this language and then
 2279 (indecipherable).
 2280 SCOTT: That's a good idea, Rachel.
 2281 MEYER: Okay. So now moving on back to the pharmacy discussion. I feel like
 2282 we need a little bit of a resolve before Heather can effectively go back and
 2283 redraft language.
 2284 MARTIN: I will look at doing that, and I also just want to clarify more with
 2285 you. You also have situations where you have walk-up businesses too. So you
 2286 don't want to look at like a drive through and walk-up business option. You
 2287 want to look at allowing the 50% or more in pharmaceutical sales businesses
 2288 to stay open 24 hours? That's the kind of language you want to see or
 2289 whatever percentage number?
 2290 O'KEEFE: I would agree with wording it so that a pharmacy, a walk in and/or
 2291 drive through, can be open 24 hours.
 2292 MARTIN: And if you had the broader language, it would be covered. You're
 2293 basically saying Walgreens, if they meet the standards, they can be open. And
 2294 so that can be...
 2295 O'KEEFE: With such and such percentages.
 2296 MARTIN: They can be open, the pharmacy can be open, their walk-up window
 2297 could be open. So it would cover all of those. But I just wanted to make sure
 2298 that that's what the committee is looking at.
 2299 SCOTT: I would agree with Larry on that. I agree with Larry.
 2300 MEYER: Any other thoughts?
 2301 BRUTON: I had a thought of it related to the restaurant which is (B)(3).
 2302 Someone made a comment, and I actually don't know what this would look like
 2303 in terms of the actual specifics, but that a lot of restaurants - that the
 2304 Oregon lotto sales make up a good majority of their profit margin, and so
 2305 that could be up to that 80%. And I know it's on an annual basis, and that
 2306 would really be pulling numbers, but I thought it was worth considering.

2307 **PESSEMIER:** And I likewise have a concern on the 20% of gasoline filling
2308 stations. All of our gasoline filling stations have a convenience store
2309 associated with them, and it's my understanding they probably pull in more
2310 than 20%...

2311 **BRUTON:** Of the ancillary...

2312 **PESSEMIER:** Sales. Yeah. So based on people I know who are in the industry
2313 that I've talked to, they try at the very least to get their sales,
2314 especially if you take a look at like Alta's. it does car washes, oil
2315 changes, all sorts of other things as well on the facility. So I think maybe
2316 those are questions we need to do some research on to make sure that we're
2317 not omitting all of our gasoline filling stations by using that type of
2318 number.

2319 **SCOTT:** Yeah. Maybe like 50% on that and the restaurant one maybe would cover
2320 what we're looking for.

2321 **BRUTON:** And in an unrelated one, but I know that we're looking at the time
2322 at this point, I had some feedback about rainy season, weather-related
2323 concerns as they relate to this ordinance, and I know that we've looked at
2324 having an event or an emergency-related clause to our other language. If
2325 there were to be a natural disaster and people needed to be able to get
2326 generators or high-end batteries/flashlights, things like that, do we have a
2327 serviceable business within the scope that we're looking at that could
2328 accommodate to their needs.

2329 **O'KEEFE:** (Indecipherable).

2330 **BRUTON:** We don't currently have anything that addresses natural disasters or
2331 weather. Yeah. Is there a conditional use permit that you have to fill out?

2332 **O'KEEFE:** Section (3) under point (A) on page (3), it says, If "there is a
2333 temporary business need, such as extended holiday hour shopping events, Black
2334 Friday," etc., etc. Maybe we could add...

2335 **SCOTT:** I think the problem with that is it requires the application and
2336 granting of a permit. I think maybe we could add something similar to what we
2337 had in camping.

2338 **SCHOENING:** Except that the police are (indecipherable) enforce this. So,
2339 again, can we not just let Chief - I mean, I agree with Larry. Maybe we need
2340 to include that because I work with the Salvation and The Red Cross. I get
2341 it. So maybe we just include "in case of emergency" and allow the police and
2342 the chief to designate - I mean, let's let them figure out whether it's okay
2343 with...

2344 **COOKE:** Enforcement, responsibility, and authority is based on their - I
2345 would believe that...

2346 **SCHOENING:** Yeah. I'm thinking add "emergencies" to the sales, but
2347 (indecipherable). Do you know what I'm saying? So they don't have to have a
2348 variance in a timely manner.

2349 **SCOTT:** I'll let Heather work it into...

2350 **MEYER:** Heather, do you feel like that's something...

2351 **MARTIN:** Sorry...

2352 **PESSEMIER:** I assume probably language through state things and other things
2353 that basically state, you know, notwithstanding anything in this section of
2354 code, the city manager can declare an emergency and...

2355 **MEYER:** Et cetera, et cetera.

2356 **PESSEMIER:** Right. Right. And we have an emergency management plan and things
2357 that can happen anyway. So I'm pretty sure we can override this section of
2358 code regardless if there was an emergency. But certainly, if you wanted us to
2359 put something in there, you could add some text. It wouldn't be too
2360 difficult.

2361 **COOKE:** I think the blanket language that you discussed is more than
2362 reasonable. Would everyone agree?

2363 **O'KEEFE:** Agree.

2364 **BRUTON:** Agreed.

2365 **MEYER:** Great. So on to - well, does anyone have any additional comments on
2366 page 2 at this point? I'd like to throw something out on page 3. One of the
2367 things and one of the reasons that I remember us discussing the 1:00 a.m. and

2368 5:00 a.m. closing period already included extended holiday hours, shopping
2369 events, within the times of a retailer opening at 5:00 a.m. and closing by
2370 1:00 a.m. So I want to be sure that this section (3)(a) is really what the
2371 intention is here. So in other words, are we comfortable with retailers
2372 requesting a variance to extend their hours beyond - so essentially being
2373 open 24 hours in the event of a extended holiday shopping event? That's the
2374 question.

2375 **COOKE:** I would say as a temporary.

2376 **MEYER:** Okay. Great. I just wanted to make sure we addressed that. Rachel,
2377 did you want to add something?

2378 **SCHOENING:** At the bottom, it says 30 days. Are we comfortable with 30 days?

2379 **MEYER:** I'm not particularly comfortable with an extension of 30 days. I
2380 can't think of a short-term retail issue that would call for the need for a
2381 30-day variance. That's my experience managing all kinds of retail centers. I
2382 can't see any circumstance.

2383 **O'KEEFE:** What do you guys think about seven days. Is that cutting that too
2384 short? I can't think of any kind of retail - don't all the latest phones sell
2385 out in a few days anyway?

2386 **BRUTON:** I think of the holiday season, Black Friday through New Years.
2387 That's over 30 days. Tom, I had a question. For these late-night permits, is
2388 there a mandated cost for the conditional use process? I believe they had
2389 talked about that in the work session.

2390 **PESSEMIER:** Yeah. There's costs. There's process. There's a lot of different
2391 elements that go into a conditional use permit. It's also in chapter 16 of
2392 the code. You'd have to go in and modify your land-use code sections in order
2393 to allow conditional use permits or temporary use permits. It actually could
2394 - once you get into chapter 16, and you've got the whole land use process you
2395 have to deal with, and it would be a lengthy, expensive, difficult process
2396 for people to try to do that unless you were trying to carve something out
2397 where you were allowing conditional use permits for a certain type of
2398 operators that you could define more discreetly with inside of the different
2399 uses that are allowed inside of retail. So for example, I think the pharmacy
2400 one would be a good one actually to consider in that section of code to do
2401 something like that because now you can look at your different uses in your
2402 office, commercial, and you can say permitted, not permitted, conditional. So
2403 I'm not trying to target you one way or another here, but I'm really
2404 concerned about trying to make this connection between what you're trying to
2405 accomplish in your Purpose and Statement and then setting a threshold on what
2406 can be done in certain businesses because how are you going to say, "Okay.
2407 Well, this one is okay and this one isn't?" And there's two Ws that I can
2408 think of that can really start going to battle over that, whereas under your
2409 land use code, you might be able to deal with that differently which is a
2410 completely different process.

2411 **SCOTT:** So how does that relate to this temporary late night permit process?

2412 **PESSEMIER:** It doesn't.

2413 **SCHOENING:** I think Tom specified that he was not going to be 100% after
2414 9:30, and he is not paying me to say that. So that means that - I'm trying to
2415 move this along sort of, but it talks about "no permit granted under this
2416 section shall exceed 30 days." Do we want to start talking about
2417 consecutives? Do we want to talk about a calendar year? Do we want to say 10
2418 days. I get what Nancy is saying about Thanksgiving to New Years being - but,
2419 again, if we're going to limit it, then we need to do it in a way that makes
2420 sense. And I think that if we're trying to limit 24 hours, then 30 days is a
2421 pretty long time.

2422 **SCOTT:** I would agree with that, and I think typically in a Black Friday
2423 situation, a lot of places will have extended hours for that Thursday night
2424 and maybe even the next couple of nights, but it wouldn't - their extended
2425 hours wouldn't - if their normal hour is 8:00, the might go to 9:00 or 10:00
2426 during the holidays. But going past 1:00 would generally be something that
2427 would only happen for a couple of days at most. So I'd be okay with lowering
2428 that down to maybe...

2429 **MARTIN:** You could just delete it altogether because up here, part of the
2430 application, you have to give the dates that you want the permit for. And
2431 then under (3), the city manager or their designee - they're basically the
2432 ones who get to grant or deny the permit, and then there are some factors
2433 they can look at down there at number (5). So you're requiring them when they
2434 come in with their permit to say when they want it. So it would basically be
2435 up to the discretion of the city manager.

2436 **O'KEEFE:** So we could strike that whole number (7).

2437 **MARTIN:** You know - just take number 7 out.

2438 **COOKE:** But that also would not limit - that could be six months. How would
2439 be ensure that it was limited in some fashion?

2440 **SCHOENING:** It says in (3)(a), Temporary Business Needs. So I feel like if
2441 they brought that in, the city manager or his designee...

2442 **O'KEEFE:** They'd be able to figure that out.

2443 **MARTIN:** You're opening up yourself to that, but you are giving the city
2444 manager the discretion in that situation. It's just a way for you to
2445 potentially address your situation where you might have longer term holiday
2446 events. Again, I don't think - that's probably not going to be an issue with
2447 extending the hours. It's probably not going to be 24 hours day after day.

2448 **COOKE:** But do we want to say, "Retail sales businesses may receive a short-
2449 term..." I know that's kind of redundant, but at the same time, I want to make
2450 sure the language is indicating that it is intended on being short term.
2451 Because a temporary circumstance can last months under some policies.

2452 **MARTIN:** You could look at doing that. That was just a suggestion. If that's
2453 something that you wanted to look at removing, but if you wanted to have
2454 limits, then you can leave it in there and put a lower number down or you can
2455 make it temporary. Just a thought.

2456 **O'KEEFE:** I'd be in favor of deleting it.

2457 **MEYER:** In its entirety?

2458 **O'KEEFE:** Mmhm. Because on section (3)(a), it gives examples of a temporary
2459 business need, and then under (b), it says it "will not be unreasonably
2460 detrimental to public health, safety, and welfare." So the city manager or
2461 the designee has got those guidelines to go by. And I would hope he would be
2462 okay with that.

2463 **MEYER:** Any other thoughts? So do we generally agree to strike number (7)?
2464 Yeah? Okay.

2465 **O'KEEFE:** And just some language clean up - Heather, same page, number (5) in
2466 granting a permit under this section. Line 2, "May place conditions or limits
2467 on the permit that are necessary," and I think it should say, "to protect
2468 employees."

2469 **MARTIN:** Mmhm. Okay.

2470 **O'KEEFE:** Little stuff.

2471 **MEYER:** Great. Any other comments in regard to this draft language? Okay. So,
2472 Heather, you feel comfortable or generally comfortable with direction on a
2473 third draft for review? Do you feel pretty confident that you'll have
2474 information back to us at some point before our meeting on Thursday so that
2475 we can come back into the meeting prepared but very focused...

2476 **MARTIN:** Definitely by the end of the day Wednesday. Getting it back
2477 shouldn't be too hard to - and it will be - what I'll do is the changes from
2478 this version are going to be - there's going to be strikethroughs, and then
2479 the additions will be italic.

2480 **MEYER:** That would be great. If at all possible, we'd love to have the
2481 language by end of day Tuesday so that perhaps Wednesday we have the time to
2482 go through both the camping and 24-hour language just for revision. And I
2483 don't - it's just a special request.

2484 **MARTIN:** Yeah. Hopefully, I basically just have meetings. I'm out of the
2485 office all day tomorrow, but I'm sure somebody else, if I give them
2486 direction, hopefully they can make the appropriate changes. And then I just
2487 review it to make sure that it is what you're looking for. It might not be
2488 close of business, but tomorrow.

2489 **MEYER:** Okay.

2490 **PESSEMIER:** As I mentioned, on Thursday, Chris Crane will be here. Chad is
 2491 out, and Heather is out. So Chris will be here. Chris actually was scheduled
 2492 to do this entire thing and then couldn't make it. So Heather will probably
 2493 get him up to speed, and he can handle any amendments you might have, but I
 2494 think you're down to making some final amendments and forwarding them.

2495 **MEYER:** So the lastly on our agenda we do have a general discussion review of
 2496 the first draft report to city council. Is this something that you've had an
 2497 opportunity to review and would you like to share any notes? Anyone?

2498 **COOKE:** I would just like to say thank you for the amount of work that
 2499 obviously has been put in since we met last on Thursday, so thank you for
 2500 that.

2501 **O'KEEFE:** Yeah. Thanks. I got to review it a little bit, but I would think in
 2502 the essence of time, maybe we can address this first thing on Thursday?

2503 **SCOTT:** I think Meerta has asked for some feedback so she can make some
 2504 changes by Thursday, and I certainly have some feedback.

2505 **MEYER:** I'm open for it.

2506 **O'KEEFE:** I'm sorry. Go ahead.

2507 **SCOTT:** I'll just go line by line then. On point three on the first page, I
 2508 don't remember discussing alcohol sales. We didn't discuss firearms or
 2509 ammunitions. That's kind of a small point, so I'm not going to belabor it.

2510 **O'KEEFE:** I think I might have mentioned that when we talked about the 1:00
 2511 a.m. closing.

2512 **SCOTT:** We talked about they stop sales at 1:00 a.m., but we didn't talk
 2513 about regulating alcohol sales at all.

2514 **MEYER:** I seem to remember, and I don't recall exactly who, but I do seem to
 2515 recall somebody asking about that. So I just - in truth of being fair, I
 2516 wanted to be comprehensive.

2517 **SCOTT:** Okay.

2518 **BRUTON:** Well, and it was preempted in the council work session...

2519 **MEYER:** Right. So I have to note it. Yeah, yeah. Conversations we had.

2520 **SCOTT:** Okay. On to point seven. I know this was on the agenda this way, but
 2521 honestly, I don't remember having any conversations about promoting a
 2522 supportive environment for small retail businesses. And I'm not sure that I
 2523 agree there's a direct connection between that and regulating business hours.
 2524 What I remember talking about was starting to talk about different
 2525 regulations we might pursue but not any kind of promotion of supportive
 2526 environment. So I just don't care for that language personally.

2527 **COOKE:** I think that was one of our very first meetings. I think we talked
 2528 about that as an issue...

2529 **SCOTT:** We talked about it as a goal, but I don't think we talked about any
 2530 specific direction that was going to do that.

2531 **BRUTON:** It was a line item on the fourth agenda, yeah, but we never talked
 2532 to it directly.

2533 **COOKE:** But in getting to the next page, General Findings, it would be an
 2534 easily (indecipherable) for them address...

2535 **SCOTT:** Yeah, and I don't like it there either.

2536 **COOKE:** Okay. Well, then that's okay.

2537 **SCOTT:** It's getting late, so I'm being blunt.

2538 **SCHOENING:** I'm sorry. I didn't have time to review. I read it really fast on
 2539 my cell phone while I was making soup. So that being said, I have to say that
 2540 I did take a little bit of issue with that wording, Meerta. You put it on the
 2541 agenda, but I feel like you put it on the agenda, and at no point do I feel
 2542 like we tried to address ways to support small business in the city. That's
 2543 how I feel, but I'm not quite sure that that's clear with how we discussed
 2544 things. But it was one that stuck out to me. I've heard a lot of about trying
 2545 to protect small business outside of here and preventing large businesses
 2546 coming in, but I don't feel like we specifically addressed ways to support a
 2547 small business.

2548 **MEYER:** Okay. So do you suggest that I then just - and that's fine. I don't
 2549 take offense to any of this. I mean, this is why we're reviewing the
 2550 language.

2551 **PESSEMIER:** What you did do though is if you take a look at your Purpose in
2552 regards to that particular ordinance language that you put together, you did
2553 talk a lot about public safety and other things. So you might be able to take
2554 the thing...

2555 **SCOTT:** Yeah. In an effort to promote public safety, you looked at regulating
2556 business hours.

2557 **PESSEMIER:** Right. Yeah. So change that out with something that's actually in
2558 the Purpose statement up here.

2559 **MEYER:** Okay.

2560 **O'KEEFE:** Public, safety, welfare, and...

2561 **MEYER:** And how to better promote public safety and wellness. Just public
2562 safety? Okay.

2563 **COOKE:** I would say public safety and livability.

2564 **MEYER:** Okay. Perfect. Thank you.

2565 **SCOTT:** So I'll skip on to point nine. Kind of all in the same means. I don't
2566 think we talked about promoting a way to produce living wage jobs. We talked
2567 about trying to mandate or regulate businesses to have living wage jobs, and
2568 I think those are very different things.

2569 **MEYER:** Okay. Do you have a suggestion on improved language?

2570 **SCOTT:** I think if we just - you could just strike that first section, "Today
2571 we had discussions related to wages and benefits."

2572 **SCHOENING:** I disagree with that one, Doug. I do feel like we could say -
2573 because there was discussion about how to provide family wage jobs within the
2574 city. I feel like there was discussion about how to provide them...

2575 **O'KEEFE:** And how to encourage.

2576 **SCHOENING:** Yeah. Would it be possible to say how to provide family wage jobs
2577 within the city.

2578 **SCOTT:** I think there was a lot of people saying we want to produce and
2579 provide family wage jobs, and I think we would all unanimously agree with it.
2580 But we didn't discuss any idea of how we were going to do that. We just said
2581 we want to do this, and by the way, we want to mandate wages and benefits.

2582 **SCHOENING:** I disagree.

2583 **SCOTT:** So can anyone give me one example of an idea of...

2584 **SCHOENING:** Yes. We asked Heather to look into different living wage rules
2585 and other ordinances in other cities that would promote a living wage.

2586 **SCOTT:** That was mandate a living wage. That wasn't promote -producing...

2587 **SCHOENING:** I didn't say mandate.

2588 **SCOTT:** But that's was a regulation does. A regulation mandates you have to
2589 do something.

2590 **SCHOENING:** I understand what a regulation does. Excuse me, respectfully, I
2591 feel like we did talk about this, and maybe if we need to vote, we can, but I
2592 feel like we did try to talk about promoting and looking at family wage jobs.

2593 **COOKE:** I would agree with Rachel, but I would also be comfortable with the
2594 words, "how to ensure family wage jobs within the city."

2595 **SCOTT:** I'd be comfortable with "ensure."

2596 **MEYER:** Rachel? Larry? Help!

2597 **O'KEEFE:** I'm okay with that, "ensure." "Ensure or encourage." I know we
2598 discussed that, right?

2599 **SCOTT:** I like "ensure."

2600 **BRUTON:** I prefer "ensure."

2601 **MEYER:** Okay. I hate to be particular on language here, but I just feel
2602 comfortable with ensure and encourage because a notion of presenting an
2603 ordinance related to sick leave would indeed encourage the City of Sherwood
2604 and its residents to look at this as a potential ballot measure. So in that
2605 regard, I'd like to let the city council know that this was an issue
2606 discussed as a means of encouraging the city to look at this as a potential
2607 ordinance.

2608 **COOKE:** I think that's a good idea.

2609 **SCOTT:** I'm not sure we - since we never discussed the sick-leave ordinance
2610 in any detail, I'm not sure we can say that this committee encourages the
2611 city council to take it up or not.

2612 O'KEEFE: I was kind of thinking about my assessment was encouraging
 2613 businesses to - I wasn't encouraging the city to come up with a mandate. I
 2614 was encouraging businesses to provide a living wage and whatever for their
 2615 employees.

2616 MEYER: And honestly, that's why I left the language pretty vague here as
 2617 opposed to talking about specific businesses or developments or what have
 2618 you. It was my intention with this language to keep it relatively broad, and
 2619 that's why I said, "within the city" related to wages and benefits. I just
 2620 really want to be careful to present what we feel collectively we've
 2621 addressed and discussed.

2622 COOKE: In fact, I feel like we spent as much time talking about the living
 2623 wage ordinance, in fact more, - so we could (indecipherable) sick leave, but
 2624 we actually talked more about the issue of living wage as part of this
 2625 committee. And these are just - again, I think discussion on the a number of
 2626 issues including but not limited to - it's not saying we're asking you to
 2627 take action, encouraging you to take any action in the city. It's just saying
 2628 this is what we discussed.

2629 O'KEEFE: It doesn't say how long we discussed each one or how in depth we
 2630 got. We did discuss them, some more than others.

2631 BRUTON: I feel comfortable with the language "ensure" and "produce," and I
 2632 would like to add that we will get the opportunity to talk to these at that
 2633 meeting, correct? Because we do have a verbal presentation as well. So we
 2634 could talk to that language specifically.

2635 PESSEMIER: That's right. So the way the August 6th meeting is kind of put
 2636 together is, under new business, there will be an opportunity for someone to
 2637 do a oral presentation or the written presentation that you are handing out
 2638 and then we will go in the public hearing to actually consider the language
 2639 that's put together for each of these ordinances separately.

2640 SCHOENING: I think is going to be a surprise to everyone, but if Naomi were
 2641 here, I feel like she would really encourage us to include living wage, and I
 2642 think the way it's written with "ensure" is - we can go with encourage. I
 2643 feel like - I'm not going to "have a fit," about that, but I do feel like
 2644 Naomi brought it up really a lot and made sure that it was front of line for
 2645 us, and so it definitely needs to be - "ensure and encourage" is fine with
 2646 me.

2647 O'KEEFE: No objection.

2648 MEYER: Okay. And clearly there's a lot of work left to do on this report.
 2649 Any concern regarding the language on General Findings that you've had an
 2650 opportunity to review? Yes.

2651 SCHOENING: I'm sorry. I really feel like it's important that we call out on
 2652 number (2) that the mayor specifically asked us to send (indecipherable) to
 2653 the chief. I've gotten a little bit of public feedback - I don't know if you
 2654 know that much, but I've gotten some feedback that people felt that we sort
 2655 of let that go pretty easily. So I just would like to include that the mayor
 2656 was the one who expressed that we might be better sending that to the chief.

2657 BRUTON: I appreciate that.

2658 SCHOENING: I don't think that was on the record when he did that, and I'm not
 2659 quite sure.

2660 SCOTT: I can't remember either.

2661 MEYER: Okay.

2662 SCOTT: So we say at the suggestion of the mayor, we decided..

2663 O'KEEFE: At the mayor's request or suggestion.

2664 COOKE: I would say suggestion.

2665 MEYER: Okay. Not a problem. That's easy enough.

2666 SCOTT: I prefer "engaged" to "direct."

2667 MEYER: Oh, yeah. I wanted - yeah. Okay.

2668 PESSEMIER: Yes, please.

2669 MEYER: Thank you.

2670 SCOTT: So I think we should modify (7) how we were going to modify (7) on
 2671 the previous page.

2672 COOKE: Well, are we...

2673 **SCOTT:** I'm sorry.

2674 **COOKE:** Do we want to take - so we want to include alcohol sales again in...

2675 **SCOTT:** Whatever we decided to do on the first page in (3) - did we strike it.

2676 I don't remember.

2677 **COOKE:** I think we kept it. I just wanted to make sure.

2678 **MEYER:** My understanding is that I'll keep that language and just include the

2679 language that because of the preemption, that was a dismissal of further

2680 discussion. Similar to that, if the pesticides, on number (7), I can - you

2681 know what I'll do? Based on the public safety and livability language, I'll

2682 take that back and draft something for rereview. Is everybody okay with that?

2683 **COOKE:** Yes.

2684 **SCOTT:** Yes.

2685 **MEYER:** That way we don't have to spend a lot of time on it. And then on

2686 number (8), we did spend a lot of time throwing out a wish list, if you will,

2687 of issues that we had hoped to potentially present to council. And because of

2688 a number of issues including public notice requirements and land use

2689 regulations, all of those things, we opted and had to dismiss that

2690 conversation. And primarily, I want to make sure that I've included

2691 everything that was on that wish list, and I am going to need your help to

2692 make sure that I captured everything accurately and comprehensively.

2693 **SCOTT:** I just have a question. I like the top part of (8). The bottom part I

2694 feel like maybe is overstepping our mandate a little bit. And we have Beth

2695 here. I guess I would just say rather than putting this into the report that

2696 we trust her to take these concerns to the planning commission.

2697 **MEYER:** I feel like - not that I think that's a bad idea - I think it's a

2698 great idea for this to go the planning commission, but I think it's important

2699 for us to present to council all of the general points that were brought

2700 before us and that we discussed.

2701 **SCOTT:** My only concern about that is that each of these specific items,

2702 although they were brought up by one or more individuals on the committee or

2703 maybe from the public, on each of them, we fairly quickly determined that

2704 chapter 16, we can't go there. So I don't know that there's any consensus

2705 among the committee on any of these items whether we even want it to go

2706 there. So that's my only point is that if we're saying we're going to

2707 recommend or encourage people to take this up, I don't know that we can

2708 accurately say that because we never really went far down those discussion

2709 points.

2710 **BRUTON:** Well, and my problem with the language was the word "encourages." I

2711 almost wonder if it would be appropriate to say, "these were additional items

2712 of consider items of consideration that were brought to our attention" so

2713 that they can still have that comprehensive list, but it doesn't come from

2714 the authoritative side of "we direct you to look at these."

2715 **SCHOENING:** I don't see "encourage" on number (8), but that's okay - oh, on

2716 the "however" part?

2717 **SCOTT:** Yes.

2718 **SCHOENING:** Oh, okay.

2719 **SCOTT:** I agree. That's the point I was trying to get to. I think it's fine

2720 to say these items were brought up but just to leave it at that and not give

2721 any kind of encouragement because we didn't really as a collective unit

2722 decide whether or we wanted to pursue any of those or not.

2723 **SCHOENING:** Well, with all -I mean, honestly, I would have pursued those

2724 things, but Tom told us we couldn't. So that being said, it sort of stifled

2725 the conversation.

2726 **PESSEMIER:** (Indecipherable) time.

2727 **SCHOENING:** I understand which to me is the same thing. I'm sorry, it's really

2728 late, and I keep seeing this "Add adult language here."

2729 **SCOTT:** I didn't see that.

2730 **SCHOENING:** Don't encourage me at this point. Anyway, I just feel that I'm

2731 okay with encouraging council to maybe not direct staff but, again, encourage

2732 staff and existing regularly appointed boards to review these items. And

2733 maybe it's not specifically these items, but I feel like a lot of things - a

2734 lot of people have said that they were disappointed in the work we did here,
 2735 and a lot of that was because they didn't understand that we weren't allowed
 2736 to discuss some of the things that they brought to us because of chapter 16.
 2737 And in time, I get that, but my point is I feel like the disappointment that
 2738 people are feeling is valid because they didn't understand..
 2739 **O'KEEFE:** Due to time constraints.
 2740 **SCHOENING:** Yes. That we sort of were directed not to deal with those in the
 2741 first place, and that it still needs to be brought to the attention. Just
 2742 because we didn't address it doesn't mean the council shouldn't address it.
 2743 **O'KEEFE:** Correct. I would..
 2744 **SCHOENING:** So I guess that I want to make sure we don't lose site of that.
 2745 **MEYER:** And that was my (indecipherable), but thank you, Rachel. But yes, that
 2746 is why I felt like it was important to include the language. Tom, do you have
 2747 anything that you would like to throw in?
 2748 **PESSEMIER:** Well, I do think it's important to recognize the conversation and
 2749 the constraints that were out there as well as the fact that there is a
 2750 planning commission which I think most if not all of these would fall under
 2751 their purview. And so I think leaving it out would probably not be it the
 2752 spirit of what you guys - the conversations you guys had. And so how you get
 2753 there, I think you guys can consider, but certainly these would be things
 2754 that would probably go back to council. The council would then take to the
 2755 planning commission to consider. It wouldn't be appropriate to ask a member
 2756 to do that. That wouldn't be something that they would be bringing forth in
 2757 any way. That would be something that the planning commission would want some
 2758 direction from council in order - before they would consider those things. So
 2759 maybe this is less of a conversation of exactly the things that you talked
 2760 about, but yet, there is work left to be considered and done by other boards
 2761 and committees though a listening process of the community and the other
 2762 input that they've received because you guys were doing something very
 2763 specific for certain things in a very limited time frame. But that's not the
 2764 end of the conversation, and I think you need to make sure that the
 2765 conversation doesn't end here with this report because I don't think anybody
 2766 expects it to, including council.
 2767 **MEYER:** So if it's all right with committee, I will attempt to revise that
 2768 language based on this discussion and hopefully we can all take another look
 2769 at it. And let me know if I've captured the spirit of the discussion.
 2770 **SCOTT:** Okay. I'm good with that. Thank you. So on point nine, the same
 2771 language change to "promoting and producing" to "ensuring and encouraging."
 2772 And then - sorry. Go ahead.
 2773 **COOKE:** And actually, I would say - instead of saying "family wage jobs," say
 2774 "living wage jobs," and I meant to say that earlier. Potentially - expressing
 2775 the phrase Naomi used.
 2776 **BRUTON:** Yeah, number 9 on the first page.
 2777 **SCOTT:** Yeah. And I also wanted to say that in regards to the living wage, I
 2778 think this is something that might need to be called out similar to the way
 2779 we did with the preemptions on some the other items because even today this
 2780 is still coming up. "Why aren't you doing living wage?" "Why aren't you doing
 2781 living wage?" And I think our report should reference the fact that we are
 2782 preempted from doing a wage standard, like we did in the other areas. I know
 2783 it was kind of referenced here, but it's a little less strongly referenced
 2784 than those items up in (3) and (4), and I guess I'd just to see that -
 2785 because that keeps coming up. We were getting roasted today by someone
 2786 because we didn't do it.
 2787 **BRUTON:** Wouldn't that be okay to be your number (1)?
 2788 **SCOTT:** That we're getting roasted?
 2789 **BRUTON:** Not that we're getting roasted.
 2790 **SCOTT:** No. I think it's fine where it is. I just think we need to make
 2791 similar language like we did with the preemptions. I would also like to
 2792 suggest we pull sick leave out to bullet point (1) instead of lumping it in
 2793 because I do think that we talked a lot more about that. We actually had a

2794 draft ordinance. So I think once we get into the rest of the benefits issue
 2795 that maybe giving it a little short trip?

2796 **COOKE:** So because we have draft - it's easier to draft because we had the
 2797 local sample, we didn't actually get much really into the discussion of any
 2798 of the particulars. I don't feel like we had as much discussion on it. We
 2799 really did run out of time, and it's definitely something I would have -

2800 **SCOTT:** Yeah. I want to leave it in. I just want to pull it out to its own
 2801 bullet point.

2802 **SCHOENING:** I had thought the same thing, respectfully, Beth. It's just we
 2803 didn't really - we really were preempted from talking from addressing - we
 2804 talked about living wage jobs, which I already said, but we didn't really
 2805 address it because we weren't allowed to. But I feel like we spent money,
 2806 attorney money and time, on a sick leave ordinance, and I do feel like it
 2807 should be in number (10) and that we decided we weren't able to do it because
 2808 of time. I think in the spirit of these other things and the way they're
 2809 listed it looks like an afterthought, but I don't feel like it was an
 2810 afterthought to me. I feel like I spent a lot of time on it.

2811 **COOKE:** Okay.

2812 **SCOTT:** So finishing up on number (9) real quick, not including the sick
 2813 leave, I would like to strike the language in bold at the bottom because I
 2814 don't think we got far enough into any of those items to make that strong of
 2815 a recommendation. Or at least modify it to be something different.

2816 **MEYER:** Okay. What would you like for it - how different? I can recraft the
 2817 language. I just want to make sure that I'm capturing what it is that we want
 2818 to present.

2819 **COOKE:** I would ask the question, do we agree "in an effort to better promote
 2820 and produce family wage jobs."

2821 **BRUTON:** It was "ensure and encourage."

2822 **COOKE:** But do we - this is a different issue.

2823 **SCOTT:** Yeah. And I think actually this is where - maybe I'm coming around on
 2824 this now that it's separate from sick leave. I do think that we do want to
 2825 promote and produce family wage jobs, and I like - actually, now I'm looking
 2826 at this a little more, so I'm backtracking. But I do like the fact that we're
 2827 talking about small business development promotion fee structures which I
 2828 think is the right approach instead of ordinance. So I guess maybe I'll
 2829 remove my objection to that language, and I think it's pretty strong the way
 2830 it is.

2831 **SCHOENING:** I would ask that we remove fee structure related to business
 2832 requirements.

2833 **MEYER:** So you don't feel like we should review fee structure, or you don't
 2834 feel like we should suggest that the council look at fee structure? No?

2835 **SCHOENING:** Yeah.

2836 **SCOTT:** I think if we cover - if we say small business development promotion,
 2837 that's...

2838 **SCHOENING:** I'm not saying which line this is. I'm saying I have no idea what
 2839 the fee structure is. So I don't feel - I know we did, but I mean I guess I
 2840 don't feel comfortable enough to know what other cities are doing - I don't
 2841 feel comfortable enough. Are we just asking them to address it? What are we
 2842 asking them to do? Why is it here?

2843 **COOKE:** I think it says that we came to a consensus that that is an important
 2844 issue within the city. It doesn't provide specific direction but it's still
 2845 vague enough that still at the same time recognizes that we did have
 2846 consensus from the committee that that's an important issue.

2847 **PESSEMIER:** It will be looked at regardless. I can guarantee you that it will
 2848 move forward. So if you want to recommend it, I don't think there's any
 2849 issues with that because that's something we will be doing as a part of the
 2850 economic development committee and -

2851 **SCHOENING:** I think what I have a problem with is the recruitment. I think
 2852 when we're talking about fee structure related to new business development
 2853 aren't we - not recruitment. We don't have a fee structure related to
 2854 recruiting business.

2855 **PESSEMIER:** Well, we currently don't; however, I think this probably came
2856 from the discussion at the employment area where we probably will be doing
2857 business recruitment out there as that area moves forward and looking at
2858 incentive programs and everything else. So I think that's probably what
2859 that's related to. So while we do do a little of business recruitment which
2860 certainly, whenever we leads from the state or from someone else, we try to
2861 match things up. We'll be looking to be more aggressive out there in the
2862 topic of employment area.

2863 **SCOTT:** So - sorry. I think if we just stopped the sentence after small
2864 business development promotion, I think that captures the essence of what
2865 we're saying without the concerns about fees.

2866 **MEYER:** Okay.

2867 **SCOTT:** Would you agree with that, Rachel? So sick leave...

2868 **MEYER:** I hear that that will - I hear collectively we'd like for that to be
2869 its own issue.

2870 **BRUTON:** (Indecipherable).

2871 **MEYER:** Yeah. Okay.

2872 **SCOTT:** I'm not comfortable with the final sentence.

2873 **MEYER:** Okay.

2874 **SCOTT:** I don't think we voted on that or came to a consensus on that.

2875 **MEYER:** Okay.

2876 **O'KEEFE:** Yeah. I would agree with that.

2877 **MEYER:** Okay. Do you feel like we came to any agreement?

2878 **COOKE:** I don't.

2879 **MEYER:** Okay.

2880 **O'KEEFE:** For me, I'd think seriously about striking the last sentence.

2881 **MEYER:** Okay. No problem. And then I have a lot more work to do in terms of
2882 drafting the language on the final recommendation, and then I will work on
2883 that this week. So I don't have a synopsis of the ordinance language
2884 completed yet, but I will make sure that it is complete a.s.a.p.

2885 **SCOTT:** Thank you.

2886 **COOKE:** Yeah. Obviously it's a lot of work. So thank you.

2887 **MEYER:** You're welcome. Let's go ahead and move on to - and before I move to
2888 closing comments. I thank you for your input on it. I will do my very best to
2889 capture the spirit of this discussion, but please rest assured that I will
2890 absolutely be happy to remodify the language as we rereview it. Okay.

2891 **O'KEEFE:** Do you want to take any public statements before you close the
2892 discussion (indecipherable) four hours.

2893 **MEYER:** You know (indecipherable) have been here for some time, and given that
2894 we have - is the committee okay with accepting up to 12 minutes of comments -
2895 up to 40 minutes of comments? Well we've got three people here, so it's not
2896 really going to be 12 minutes.

2897 **O'KEEFE:** Is there anybody that wishes to make a comment?

2898 **FEMALE:** Yeah.

2899 **MEYER:** Please come on up, Eugene. You've been so patient. Thank you.

2900 **EUGENE:** One thing that kind of pops up...

2901 **MEYER:** Eugene, could you please talk into the microphone? Thank you.

2902 **EUGENE:** Okay. Eugene Stewart. One of the things that you don't see a lot of
2903 is numbers to kind of back of some of the things that are being promoted
2904 here. One of the things that would be interesting to know is out of the
2905 number of people we have in Sherwood, how many are actually going to shop at
2906 Wal-Mart? We don't know. That's 15,000 people or 12,000, you know, why are we
2907 kind of pushing this somewhat against just one store. The other thing is like
2908 Walgreens, I don't think, can afford to stay open 24 hours, but yet if you
2909 have a store coming in that could provide a 24-hour pharmacy - what about the
2910 parents who find out their kid has a really bad earache, starts screaming at
2911 1:00 a.m., and you have to go get a prescription filled. Do you want them
2912 racing down the road, thinking about their kid, and not paying attention to
2913 driving. So does that really protect the health of a person trying to protect
2914 their kid? I don't know. Should we just let the market decide whether Wal-
2915 Mart is a good fit or not? And from what the police chief had said, a lot of

2916 these concerns haven't been proven up yet. And I also heard that the policy
2917 for overnight camping is a manager's own decision to make, so what is that
2918 process? Have we talked to anybody from Wal-Mart? Anybody from Walgreens
2919 about whether they will keep their store open? A lot of businesses are -
2920 you'd put them in a tough spot. They're not going to come out and say too
2921 much because you're their clients, and they've got clients that are on both
2922 sides. They can't offend them. But yet there are things that they should be
2923 bringing up that aren't being brought up. I don't know how you get to that
2924 point. And besides that, with Wal-Mart and the other stores going out there,
2925 what do they pay property taxes for? Police protection is one of the things
2926 they're going to be paying property taxes for. Are they not entitled? Anybody
2927 that comes and goes through this town, whether it's business or residents,
2928 are entitled to police protection. That's what we pay property taxes for. The
2929 city needs to decide a good way to use the funds so that funds are available,
2930 and I don't think we heard anything correctly that says at this point we need
2931 more police officers, but maybe as we grow, yes we will. What is this city's
2932 plan for providing - at what point do we need to start planning to get police
2933 officers? That's never been discussed. Also I've heard that during the
2934 daytime, we have these many police officers on duty. You've got maybe three
2935 out on patrol, but you have more police officers that are out there that are
2936 available. And I can recall several instances where you see them pulling
2937 somebody over halfway to Tigard, halfway to Newburg, writing a ticket for
2938 speeding. Is that a good use of our resources? That's part of a - how does
2939 mutual aid work? When I was in the fire department, mutual aid for all the
2940 fire districts - when we went to help another town, there was an apparatus
2941 moving up to man the station. So we need to know more clearly what is mutual
2942 aid. Do we give more mutual aid on the police side than we receive? I don't
2943 know. Thank you for your time.

2944 **MEYER:** Thank you very much. Anyone else?

2945 **LES:** Les Lucas. Do I need to give my address?

2946 **MEYER:** No, you don't. Thanks, Les.

2947 **LES:** I wasn't going to say anything on the camping until you decided to try
2948 to prohibit camping on public property. I know your attorneys are going look
2949 at this thoroughly, and I think when they do, they're going to run into the
2950 City of Portland's experience. They've lost all litigation regarding that.
2951 It's almost impossible to prohibit camping on public property. There are
2952 other ordinances that allow them to move off the property during the day, but
2953 as you're watching city hall there, they're camping from midnight to 6:00. So
2954 just a heads up. On the hours, you took the wind out of my sails when you
2955 crossed out personal services. I have a lot of examples. He called it a
2956 slippery slope. It's more like a quagmire, and I think it's a good thing
2957 you're doing it. Still with regards to retail establishments, you're
2958 basically dealing with establishments you're familiar with. There's a whole
2959 universe of establishments out there. I don't have any good examples, but
2960 this is a closed door to them. You have a variance, a temporary variance, but
2961 no procedure for a, what do you call it, provisional use permit on a
2962 permanent basis. We have new businesses coming around all the time. There may
2963 be a retail establishment that's beneficial and convenient to the citizens.
2964 And maybe possibly a provision for a conditional-use permit wants criteria to
2965 show the benefit and usefulness and convenience to the citizens. That's it.

2966 **MEYER:** Well, thank you very much.

2967 **O'KEEFE:** Thank you.

2968 **ANTHONY:** Anthony Beville. I wasn't going to say anything, but I think that a
2969 pharmacist fills a prescriptions. He doesn't write them. So for that kid who
2970 has an ear ache at 2:00 in the morning, he still has to have a doctor write a
2971 prescription and then get it filled. I know Walgreens in Tigard is open 24
2972 hours. If Walgreens here in Sherwood thought that they could stay open 24
2973 hours, I'm sure they would stay open. So I haven't heard of any kid yet dying
2974 - anyone yet, dying in Sherwood of not having a pharmacy available to them.
2975 So that's kind of a moot point. The diapers - well, my son's 29, so it's been
2976 a long time, but I don't think I ever ran out of diapers. So that's it. And

has anyone been to the Y at 5:00 in the morning? A handful of people. It's not a good point to make there. And as far as the number of people who emailed you and let you know how they feel, there were 40 people who responded to the city council request for input on the planning of the Langer Square or whatever the heck it's called. So and that - the whole report was based on 40 people. So 18 people, 40 people, out of 18,000 or however many can vote, not a good point. I just hope this pharmacy thing is not allowing a back door to allow the evil empire to open up. So we all know who the evil empire is because we're all here because of it. Okay. Thank you.

MEYER: Thank you very much, Tony. At this point, I will request closing comments.

O'KEEFE: No closing comments.

BRUTON: I'll be very limited. (indecipherable), but again reiterating that my philosophical view is that less regulation is good, that the market place should drive decisions, and I am eager to government getting back to their role of both supporting quality of life, which they have been by this committee, and I again applaud everyone who is here because it's not easy, but also two tasks that I see as being vitally important to the City of Sherwood which is fostering economic development and job creation. And I really do hope that we continue to think about how we can bring new businesses here.

SCOTT: I will also be brief unlike my normal self. I just want to thank Sylvia for all of her time today in forwarding us volumes of emails and also to thank Meerta for the first draft of this report. I know that was probably not an easy undertaking, and none of the rest of us had to do it. So thank you for your time.

COOKE: I also want to thank Sylvia for forwarding all of those emails today. It was very helpful. I also wanted to give a shout out to anyone who is still watching, to all of the citizens who did give comment here and via email these last four weeks has been very, very valuable. Thanks also for doing this Chad, Heather, and Tom. Thank you because I know that you're already pulling long days.

SCHOENING: I have no comment.

MEYER: My turn. I always have something to say. So thanks everybody. Again, I think that the discussions that we continue to have continues to just encourage me that we are working so well towards progress. And I cannot emphasize enough how little of a surprise it is that Sherwood residents are here with us tonight, that they have taken time out of their days to email us, to become involved in city council meetings, and whatever the catalyst may be for citizen involvement, for me it just doesn't matter. It's an exciting time for Sherwood. There's clearly a lot of room for opportunity and progress, and I'm just really happy that we're all a part of it. Thank you very much. Good night.

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Minutes Transcribed by:
Automated Typing Services
205 SE Spokane Street, Suite 395
Portland, OR 97202

Minutes Approved:



Meerta Meyer, Chair

11-14-13

Date